



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: BOWDENS SILVER MINE (SSD-5765)

PUBLIC HEARING DAY 2

COMMISSION PANEL: MR PETER DUNCAN AM (PANEL CHAIR)
 MS CLARE SYKES
 MR PETER COCHRANE

COUNSEL ASSISTING: DR JAMES SMITH

LOCATION: MUDGEE SHOWGROUND MAIN PAVILION

DATE: 10:00 AM, THURSDAY, 16 FEBRUARY 2023

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Commissioner Duncan:

Good morning, and welcome to day two of the Independent Planning Commission's public hearing into the state significant development application for the Bowdens Silver project, SSD-5765. My name is Peter Duncan. I am the chair of this Independent Planning Commission panel. Joining me are my fellow commissioners Clare Sykes and Peter Cochrane. We also have Dr James Smith as counsel assisting the Commission at this public hearing. Before we begin, I would like to acknowledge the traditional owners of the land on which we meet, the Wiradjuri people. I'd also like to acknowledge the traditional owners of all the country from which we virtually meet today, and pay my respects to their elders past, present, and to the elders from other communities who may be participating today. The applicant, Bowdens Silver Pty Limited is seeking planning approval to develop the Bowdens Silver Mine and open cut silver, lead and zinc mine approximately two kilometers north of the village of Lue in the midwest and regional council area, with a total project life of 23 years, including rem- remo- rehabilitation.

The mine would extract and process around 30 million tons of ore. Du- uh, up to two million tons per annum, to produce a silver-lead concentrate and a zinc concentrate. The mine would include an open-cut pit, two satellite pits, and mine site infrastructure including a processing plant, waste rock emplacement, ore stockpiles, a tailing storage facility and ancillary infrastructure. The project would also involve the relocation of approximately five kilometers section of road, Maloneys Road, and the alignment of part of a 500-kilovolt transmission line owned by Transgrid. I note the Department of Planning and Environment, in its assessment report, has concluded that the application is approvable, subject to recommended conditions. The Commission is the consent authority for this state significant development application, because more than 50 unique public objections were received. It's important to note that the Commission is not involved in the Department's assessment of state significant development applications, nor in the preparation of its assessment reports. The Minister for Planning has directed the Commission to hold a public hearing into this application. The Minister has asked the Commission to determine the application with 12 weeks of receiving the whole of government assessment report from the Department.

In the interest of openness and transparency, we are live-streaming proceedings on the Commission's website. A full transcript of the three-day public hearing will also be published on the Commission's website in the next few days. We have many speakers on today's schedule. As such, I would ask everyone presenting today to please try and keep to your allocated speaking time. As chair, I will enforce timekeeping rules to ensure everybody receives their fair share of time. Howr- however, I do reserve the right to allow extra time for the panel and counsel assisting to ask questions to hear new information. I would encourage presenters to avoid repeating or restating submissions previously made a- on this application, noting that we will be particularly assisted by hearing your views on the Department's assessment and recommended conditions of consent. Thank you. It's now time to call our first speaker.

Dr. James Smith:

Thank you, commissioner. I call Tom Klein, K-L- E-I-N for the transcript, to address the Commission. I understand he's online this morning. Mr. Klein, are you there?

Tom Klein:

Yes, good morning.

Dr. James Smith:

Great. I confirm that we can both see and hear you. If you could please now proceed with your submission.

Tom Klein:

Great. Uh, yeah, good morning, and thank you, commissioners, for the opportunity to address you today. My name is Tom Klein, and I'm the senior geologist at Bowdens Silver, where I've been completing exploration programs, including drilling, since early 2017. My talk today is my own reflection on why this project must be approved. New South Wales and Australia have a strategic need for this project to be approved, in line with the DPE's assessment report and the government's Critical Minerals and High-Tech Metals Strategy. We know about the silver and zinc production, but there is also the impact and approval of the first critical mineral project under this strategy will have on the New South Wales exploration industry, and the subsequent attraction of further investment into the state. Firstly, what are critical minerals, and why are g- Western governments globally pushing these? In the strategy white paper, it stated that, "Critical minerals are critical because they have a range of strategic or industrial applications where there are no other viable substitutes, and face potential disruption in supply due to geological scarcity, geopolitical issues or market dynamics. As such, global security of critical minerals supply is vital, and New South Wales is well-placed to meet this demand." The terms used in this description are not vague, but clear, with intent, such as critical, strategic, viable and vital. Vital means absolutely necessary. So, where does the Bowdens Silver resource fit within this definition?

On geological scarcity, the enrichment of silver within the resource is about 72 billion times the average crust, easily making it the largest undeveloped silver, uh, deposit in Australia. Within New South Wales, the size of the silver resource is equal to the three biggest silver resource bases in the state, which includes the Broken Hill terrain and Cobar. Once in operation, the deposit will double the current silver output of New South Wales, and will contribute 12% to Australia's current silver production, at around six million ounces per annum. This percentage will grow in time with the closure of historic large silver-producing mines in Australia. As Anthony McClure showed yesterday, the development is extracting only a fraction of the total mineral system that exists, with additional high-grade underground resources below the current open pit design, and gold mineralization in the south of the deposit. It should reason that after 160,000 meters of drilling, you would expect to find the limits of mineralization, and it is just not the case. Mineralization is open in almost every direction, with exploration drilling continuing as we speak.

On geopolitical issues. Australia, in 2018, was only ranked sixth globally for annual silver production, with 5% of global output, behind Mexico, Peru, China, Chile and Poland. All these jurisdictions are politically unstable or adjacent to conflict zones. Australia, however, ranked third in 2018 in silver resources, with 16% of global resources, behind Peru and Poland, no doubt thanks in large part to the Bowdens Silver Project. Taking a look at market dynamics. On a macro-scale, we also heard yesterday the incredible range for uses of silver, and as such, the globe is entrenched in a s- supply deficit. Forecasted demand is going to outpace supply for the foreseeable future, with silver vital in some applications.

Recent investment in New South Wales for mineral exploration is at the highest level ever, with a clear focus on critical mineral exploration. This investment has resulted in substantial early stage discoveries. Within the government's strategy is also stated, "Now is the time to invest in the development of new, of the New South Wales critical minerals sector. The New South Wales government is committed to supporting the growth of the sector across the critical minerals supply chain, through investments in exploration, mining, processing, downstream industries and recycling. These is a window of opportunity to secure global investment in long-term supply chains, and secure new, additional long-term opportunities for the New South Wales mining sector." The average mine takes nearly 30 years to reach

production from time of discovery, such as the Bowdens Silver Project. Without mine approvals, mineral exploration has no purpose. Without mineral exploration, the High-Tech Metals Strategy doesn't exist. The industry is paying close attention to the outcome of this determination and others in assessment.

And just to finish, uh, Bowdens Silver has engaged industry organizations from universities and government alike in research and education programs, during seven years of ownership. For such a small company, the commitment to education is well above industry standard. For example, Bowdens Silver has engaged in no less than six honors or PhD projects, and employed four university graduates or undergraduates. This is a testament to the integrity of the management of this company, and the commitment to community outcomes from this project. Thank you for your time.

Commissioner Duncan:

Tom, thank you. We have a question for you.

Tom Klein:

Yep.

Commissioner Sykes:

Hi Tom, thanks very much for your submission. Clare Sykes here. Um, I just had a question, a clarification on one of the figures you mentioned. You quoted 12% to Australia's production. Was that 12 with Bowdens' project, um, would be Bowdens would be 12% of the national production, or New South Wales' contribution would be 12%? It's just a point of clarification.

Tom Klein:

Uh, that would be Bowdens Silver would be 12% of the production output for Australia.

Commissioner Sykes:

Okay, thank you.

Dr. James Smith:

Uh, thank you Mr. Klein. Uh, can I please invite the next speaker, which is Suzana Chandler, if you could please come to the podium up the front?

Yes, please proceed. Thank you.

Suzana Chandler:

Um, my name is Suzana Chandler. I'm a retired GP of 45 years, and with my husband, who is still practicing GP, we are residents of Lue. We have a farm of Maloneys Road for the last 40 years, breeding cattle. Our farm is two kilometers from the proposed process plant, and by the way, nobody from the mine has ever visited us or contacted us. We have a major concern about this proposed mine. These concerns are land, water, environmental impact on natural habitat, noise, traffic, roads and access to our farm, and value of our farm. Let's start with access to our property, i.e. redirection of our road, which for us means a longer drive, a road we will have to share, with many cars, trucks, going to and from the mine. These trucks are carrying toxic substances. Existing council roads are not wide enough to carry the additional heavy load as well. With new roads, traffic and mine digging, the noise in the area will be unbearable, and this will go on seven days a week, 24 hours a day. This is, at present, a very...

Suzana Chandler:

... 24 hours a day. This is, at present, a very peaceful area. The impact on natural environment will be huge. The destruction of the natural vegetation, which will occur, will affect koala population, birds, and all the natural species unique to this area.

I would like now to emphasize the two most important issues as I see it. The first is lead. This mine is not a silver mine, but a lead and zinc mine. In order to extract a single-digit percentage of silver, 90% of soil extraction is lead and zinc. I then put it to you, where does the dust end up? On the roofs of our houses, we drink the water from there, on the vegetation on our property, in our vegetable garden. We eat the vegetables and the fruit, our cows eat the grass, this means that the meat might be rejected due to high lead content. We will all inhale it. It will settle in the ground and ultimately seep into the aquifers.

The World Health Organization states that no level of lead is safe for humans. It is especially dangerous for children and their developing brains. I suggest that Lue school should be closed. It is dangerous to adults as well, as it gets into, because it gets to all tissues in our bodies, and it leads into increased blood pressure, renal failure, and increases the chances of dementia. It is also dangerous for pregnant women. How will the mine monitor lead levels? Has anybody here had baseline lead level done? The mine will have to follow up with regular blood tests on the local population. Have not our government stopped lead in petrol and in paint? Why? Because they know it is dangerous. These issues must be addressed and continuously monitored.

Water is very serious problem here as well. In reality, the mine will need a lot of water. We have droughts here, and even not in the drought, there will not be enough, uh, for us and the mine. They will access underground water to the detriment of farming. On the other hand, as we have experienced recently, we can have huge amount of, uh, water coming our way, which will lead to overflow of tailing dam, which, with its heavy metals, cyanide, and other chemicals, would be environmental disaster. Even without a deluge, there will be a seepage into the underground water, which will go into creeks, into Cudgegong River, all the way to Mudgee.

These are some of our, uh, problems here. The company which calls itself Silver Mine Australia has never run a mine in Australia or any other country. This company's playing the locals for fools by giving money for sport and other local activities, which in my eyes is a form of bribery. Are we so laissez-faire that for a sake of few jobs, we will destroy our beautiful countryside and our health? Let's entice tourism, and not mines.

Before I finish, I would like to say that before coming to Australia, I lived in a country where you had no say, no voice. It was a Communist Czechoslovakia. Australia has a tradition of fair play and equality. Here is an example of a dangerous project imposed on the community with a little regard to the future by the government who needs money. Thank you.

Commissioner Duncan AM:

Thank you, Suzana.

Dr. James Smith:

Thank you. Would, would Andrew White please come to the podium for his presentation? For the transcript, W-H-I-T-E, Andrew White.

Andrew White:

Good morning, commissioners. I am Andrew White, and I have lived in the Mudgee district all my life. I grew up in the Lawson Creek Valley, and still have a strong family connection to this area. The family business is located on the property Havilah North on the Hayes Gap Road, which is 25 kilometers from Mudgee by road, as the crow flies, 12 kilometers northwest of Lue. With my wife and two adult kids, we produce fine wool, merinos, and beef cattle. We rely on an average 620 mls of rainfall to grow grass and beef, to grow, grow grass to feed these animals.

The clean, green wool and beef that we have no trouble selling in these booming times is under threat because of the nearby mine, lead mine. The Bowdens lead mine is in the wrong place. There are many reasons behind this fact, but I will focus on just one this morning, water.

We take it for granted because it falls from the sky. However, it is an increasingly valuable commodity, and it can be bought and sold on an open market. High security water license have increased in value over time, particularly during the drought of 2017 to 2019. Government bodies regulate the use of water, as happens in the Murray-Darling Basin. Bowdens lead mine is placing Lawson Creek, and further downstream, the Cudgegong River system at risk. There is a very real chance that toxic waste from the tailings dam will end up in this watercourse.

The dam is being built using technology that has not been tried and tested on this scale. Water is valuable, and it is beyond belief that the short-term goal of the mine could destroy an entire river system. The economic and social loss from water users downstream from the mine will far outweigh any job opportunities that the mine creates. Toxic waste storage is a relatively new thing. It first drew the attention of the public conscience in the 1970s, and has been present ever since. In the construction of the tailings dam at Lue, it is not possible to draw on any experiences that are more than 50 years old.

How can there be any guarantee that the tailings dam will last? Even if it is filled in, there is still no guarantee that it will not leach into the Lawson Creek and Cudgegong River system. The water requirements of the mine are being met largely from underground sources. In the recent drought, the Lawson Creek stopped flowing, which is an indication that the water usage is at its maximum. The addition of the Bowdens' requirements can only add more stress in dry times.

They will be no different to all other water users in that a dry time means water usage more than doubles, adding stress to an already stressed system. The underground water aquifer is not a measurable commodity. The amount that is taken out of it is, but there is no figure that can be put on the available amount of water.

How much water do Bowdens want to use? How much water is underground to be used? Water is valuable. In closing, I urge the commissioners to look at what we have, what we've got, and not let the future slip into the hands of a mining company. Thank you.

Commissioner Duncan AM:

Thank you, Andrew.

Dr. James Smith:

Thank you. I call Josh Mclean to present his speech. If you could please come to the podium. For the transcript, Mclean, M-C-L-E-A-N.

Josh Mclean:

I would like to acknowledge the traditional custodians of the land we are meeting on today, the Wiradjuri. I remind people that we live and work on Aboriginal land. I also acknowledge the Aboriginal

elders of this community, those who have passed, and all Aboriginal people attending this meeting today.

The Mudgee Wombats was established in 1875, and has been, for many community members, an essential thread to the fabric of our town, a town that evolved and matured throughout the years. Our club members and supporters have diverse careers and vocations. We recognize that for some of our family, this proposed mine creates concern for their homes, their livelihood, and their communities. We hope that this process with the Independent Planning Commission allows for those concerns to be heard.

Like many clubs in Mudgee, sponsorship is integral for the vitality and growth of the organization. The Mudgee Rugby Union Club has had a proud relationship with Bowden Silver for nearly seven years. Their support has allowed us to continue to support active lifestyles for members of our community, while maintaining integral relationships.

The Mudgee Rugby Union Club recognizes the benefits that this mine proposal could have for our community, creating jobs in rural areas is integral for the maintenance of essential services. In recent years, essential services and industries have seen a persistent disintegration throughout the Central West in a bid to appease the shareholder. Bowdens Silver Mine allows opportunity to not only reduce the impact of this process, but also encouraging the rare possibility of growing our services.

In recent years, we have seen our nation move towards a net-zero carbon emissions. This will have ongoing implications to the coal industry in our town, causing it to likely wane. This affects more than just the mine, it affects the multitude of supporting industries that rely on such commerce. The Mudgee Rugby Union Club acknowledges that this mine can help to maintain the mining-support industries that are already in our region.

Thank you to the Independent Planning Commission for giving the Mid-Western community this opportunity to express our opinions. The Mudgee Rugby Union Club acknowledges that in any development, some are more affected than others. We hope that this process allows all to be heard, and that our region continues to grow in strength, wisdom, and opportunity.

Dr. James Smith:

Uh, thank you. I can, um, Beverley Smiles, if you could please come up, um, Ms. Smiles. Uh, S-M-I-L-E-S for the transcript. Ms. Smiles, I understand you're speaking on behalf of the Inland Rivers Network, and also then speaking, uh, in your own interest. If you could please make a distinction as between when you're representing the network, and then when your views extend into your own. Thank you, if you could please address the commission.

Beverley Smiles:

Thank you, commissioners. Inland Rivers Network is a coalition of environmental groups and individuals that has been advocating for healthy rivers, wetlands and groundwater in the Murray-Darling Basin since 1991. We take an interest in the proposed lead, zinc and silver mine in the catchment of Lawson Creek, because it is at the top of the Macquarie River catchment, and important New South Wales river system in the Murray-Darling Basin-

Dr. James Smith:

So- sorry, Ms. Smiles, could we just get an audio... are you able to speak into the microphone slightly clearly? Just to ensure that everyone can hear your submission.

Megan Create Engage:

Just put it down for you.

Beverley Smiles:

The requirement of the New South Wales Government under The Basin Plan, a statutory plan under federal law, is to produce a water resource plan for the Macquarie region that considers water take, including mine interception, water quality, and risk management. This requirement is not listed under the statutory context of the DPE assessment report.

Lawson Creek is a significant tributary of the Cudgegong River, in that it supplies the first natural flows below Windamere Dam. It is also highly connected to the Cudgegong alluvial aquifer system. The health of Lawson Creek is a critical matter for the region and beyond. The potential for a number of threatened native fish species to occur in L- Lawson Creek, including Murray Cod, has not been adequately assessed or considered. IRN strongly recommends that the project be rejected on the following grounds of incomplete or poor assessment, according to independent expert reviews. The failure to include water quality in the site water balance model, as required under the SEARs, has not been addressed in the DPE report. There is no detailed geochemical analysis of final void pit, or tailings dam water quality. No analysis of dilution or attenuation processes along seepage pathways. Acid mine drainage analysis is still missing.

There is doubt around the interception volumes and water access licenses. DPE maintains an average annual loss on 177 megaliters to surface water flows. The most recent independent surface water review notes that 856 megaliters per year would be removed from the catchment, and that rainfall and runoff terminology appears to be inaccurate. The DPE analysis of WALs does not appear to include the volume in sediment dams. It is highly unlikely that... It is highly likely that insufficient WALs have been obtained to offset the mine water interception.

There is inconclusive evidence of acid mine drainage control. It is proposed that a materials classification verification program to determine if there is sufficient non-acid forming waste rock to fully encapsulate all potential acid forming material be conducted after approval. This is a critical piece of work needed to inform a final decision that must be conducted by independent experts. Pushing this analysis until after approval is another example of DPE ignoring the major water quality impacts of this heavy metal mining operation.

DPE incorrectly claims that the project will be nil discharge when the tailings dam has been designed with a spillway. And sediment dams may discharge under an EPA license. The water quality of these storages is unassessed, and therefore unknown.

The New South Wales Government has invested in new climate datasets, and improved modeling to provide a more robust and sophisticated understanding of future risks to water availability in the Macquarie region. Regional water strategies are looking at the next 20 to 40 years of climate risk. The new models predict much longer periods of drought in the region. The failure of the assessment process to use these new datasets raises significant questions around all the predicted water interception and use. The uncertainty of water supply for the project must be a key consideration.

The economic analysis appears to ignore the value of water licenses taken out of production in perpetuity for the groundwater sink. The final void should be backfilled. Water is most essential resource, and must be given the highest economic value. It is irresponsible to leave the assessment of these critical issues until after the project is approved. IRN considers the assessment for this project to be highly inadequate. The mine must be rejected.

I'm not presenting as an individual. I've had a long experience with mining assessment approvals and operation processes in the Mudgee area, with the rapid expansion of coal mining over the past 20 years. I also live on a river downstream of these mining operations, and have seen the serious impacts on river health that have been ignored by government processes. The people of Lue and water users on Lawson Creek have plenty to be concerned about.

I'm on the CCC for the three coal mines, Ulan, Moolarben, and Wilpinjong. I have seen firsthand that the proposal to push important assessment details onto post-approval management plans is a recipe for environmental disaster. There is no transparency or independence in the process of developing post-approval management plans. It is all done through behind-the-scenes negotiations between the company and the department. Once approval has been granted, all the focus is on getting the operation going, with little regard to ongoing environmental and social compromise.

As the independent arbiters of this process, it is critical that you have all the necessary information before you, not have it pushed back to post-approval as is being recommended through proposed conditions. A glaring example for this project is the assessment of the volume of non-acid forming material. The acid mine drainage and water quality and quantity issues are too important for this project to leave them to non-transparent, non-independent post-approval processes.

In regard to EPA discharge licenses, these have been turned off for the Moolarben and Wilpinjong coal mines on a number of occasions, including in recent wet weather events, because the mines filled up with water. This is because modeling used to assess and approve the projects has not taken climate extremes into account. There is not enough water storage onsite to hold flood events. Therefore, the mines are given exemptions to the EPA licenses, and they have discharging untreated mine water at large volumes into the Goulburn River for months. The accumulation of heavy metals in the environment is not considered or assessed. The Lue mine will not be a nil-discharge mine, and the EPA licenses will not protect downstream water users or river health. The proposed volume of onsite storage to handle extreme weather events is highly doubtful. Lastly, I'd like to address the poor economic assessment. The department's enthusiasm for the project and employment prospects, including repetition of Bowdens' reference to Covid recovery, demonstrates complete ignorance of the labor shortages in the region. There are more vacancies at the three coal mines in the Mudgee area than the proposed jobs for Lue mine. Any local person with the skills to work in a mine already has a job.

The economic analysis emphasizing the project benefits is based on poor assumptions, and should not be considered to outweigh the extensive environmental and social impacts. I am also on the community reference group for the Central-West Orana Renewable Energy Zone, and know that the increasing pressure on the labor market, accommodation, and services in Mudgee region is extensive, due to the large number of renewable energy and new transmission line projects. This has not been recognized in the assessment report.

This region does not need another mine to satisfy any employment needs. And just to clarify incorrect statements that coal mining is coming to an end in the Mudgee district, the New South Wales Government has handed out new areas for coal exploration to Ulan and Wilpinjong mines, and Ulan is also ex- planning to expand underground operations to the west. Coal mining could be continuing until 2050.

Commissioners, you do not have enough information to fully assess the environmental and social impacts of this project before you. As the economic benefits to the region are highly doubtful, this project must be rejected on the basis of poor information, and on clear consideration of the potential extent of irreversible environmental damage. Thank you.

Commissioner Duncan AM:

Thank you, Beverley.

Dr. James Smith:

Uh, commissioners, I call Cameron Scott-Fell to provide his submission. That's S-C-O-T-T-F-E-L-L for the transcript. Thank you, Mr. Fell.

Cameron Scott - Fell:

Yeah, good morning, commissioners. And, um, thank you for the opportunity to, um, address you today. Um, my name's Cameron Scott-Fell, I grew up in this district, not far from the mine, and, and later moved back into the district, and currently, um, our family own and run a, uh, sheep and cattle property, uh, be it on a smaller scale than some of the bigger neighbors, on the Lue Road at Rylstone to the east of the mine site.

Let's be honest and realistic. This is not a, a lead mine, it's... sorry, this is not a zinc mine, or so- it's not a, a silver mine, I apologize, it's a zinc and lead mine, with silver making up 0.5 of 1%. You've heard many excellent speakers today, yesterday, and t- to come. So, I won't repeat the details, uh, of the undeniable health, human, environmental issues, such as lead poisoning, water extraction, water contamination, toxic tailing dam, which, which remains, will leak, acid rock drainage, nil, virtually nil rehabilitation, desolation of Lue, and the loss of amenity. Bowdens, very cleverly and deliberately, through various forms of the media, have falsely portrayed this mine and processing plant as a cute and cozy silver mine. And in the process, they've completely hoodwinked, I believe, New South Wales Planning, sadly, our council, many in the shire, but not those around Lue. Because we now understand the serious nature of this, and the consequences of this mine, because we've done our homework.

The portrayal of this mine in such oft-handed way, it is, off-handed way is because Bowdens pay, I repeat, pay their consultant to prepare friendly and favorable reports, as, uh, we have witnessed and have read, which are flawed, inaccurate, incomplete, and I believe biased.

Let's look at the issue of royalties. Bowdens, uh, advised me at a meeting in Rylstone, I think it was early last year, or maybe the end of the year before, that they expect to pay the government some, "In the order of," were the words, up- upwards of \$240 million over the lifetime of the, the mine. Divide that by the 20-odd years, it's pretty infinitesimal. I then sent an email beginning of last week just to get an update version of this, and got a reply from Bowdens supi- suspiciously now in the order of 360 million. Again, divide that by 20-odd years, pretty infinitesimal, particularly when you compare it to a report yesterday by Stephen Galilee, which I'm sure the commission aware of, the, uh, minist-, uh, the, uh, spokesman for the Minerals Council of New South Wales, that predicted New South Wales Government will receive in the order of \$6 billion in the next financial year from royalties from mining throughout New South Wales. So, the 10-odd million per year compared with 6 billion is so infinitesimal that one must consider the environmental damage f- for now and in the future that's represented by that merely \$10 million, and how much e- eventually it will cost, if ever it's possible to rehabilitate this valley.

I refer to, um, the conditions of consent. It's, there is inordinate number of conditions. So, one must ask the question, why is it necessary for New South Wales Planning to impose such an enormous number of serious conditions that have to be met on this site, a- and this mine? Doesn't that ring a bell that, if it's needs that many conditions in a s- of a serious c- nature, is it really worth having a mine in this location? I, I would say no. It's a bad mine in the wrong place. We w- we've heard about the consequences, the lack of tourism and real estate values if this mine goes ahead, we aw-... And, and the, uh, the human effects that, that, that, uh, consequence of that.

I'd like to remind the commission, too, of recent refusals of mines in New South Wales, the Kepco mine in Bylong, eventually, uh, c-, um, eventually, uh, knocked down by the court system. In North

Queensland by s- Tanya P- Plibersek last week, the Glenco in the Hunter Valley by the IPC, Rocky Hill mine in Gloucester by the IP-, by the Land and Environment Court, the Drayton South extension by the IPC, and the Martins Creek's gravel mine in the Hunter Valley, again by the I- IPC. These are all on environmental and health issues. So, um, you have to consider how much more serious this mine is in Lue compared with those mines that have been refused.

In conclusion, I was asked the directors of Bowdens, their consultants, New South P- Wales Planning, local council, and with due respect to you, commissioners, and ill-informed supporters, would you live next door t- to a lead mine? Obviously not. So, doesn't this tell you something? It's vital that you guys take this y- seriously for the health and wellbeing, not just for the, the, the past of Lue, but for the future, uh, and future generations. Thank you for your time.

Commissioner Duncan AM:

Thank you, Cameron.

Dr. James Smith:

I call Gary Rush, if you could please come forward, R-U-S-H for the transcript, to provide your submission.

Gary Rush:

Good morning, commissioners. And, uh, good morning to, uh, everyone present. Um, my name is Gary Rush. I have been previously employed by one of Australia's largest public listed organizations as a project manager, a senior manager for an Australian arm of a large international conglomerate, a senior manager for two Sydney-based manufacturing organizations. I have also been honored to be conferred the title of Emeritus, Emeritus Mayor by Local Government New South Wales for my service for the people of New South Wales through local government.

I served as a panel member of a joint regional planning panel for the Central West. I served as vice chair and chair of what was then Centroc, which is now a joint organization, which is a collaboration of 10 Central West councils whose promotion is for better rural and regional outcomes. I was the director for five years of Skillset Limited, who then employed 1100 apprentices throughout Central New South Wales. I am a director of a company that owns a major holding in Southeast A-, uh, South East Queensland-based business that turns over in excess of \$100 million a year. In addition, I offer management accounting services with a handful of clients throughout the Central West. I'm also a volunteer director of Mudgee Community Preschool, and I am a Mudgee resident.

Throughout the DPE recommendations, they refer to, a number of times, the benefit, the economic benefit that this project will bring. They state, "Around 200 employees would be directly em- employed during operations, and 131 people." The first mention is, "Around." The second mention, which also mentions economic benefits, yet again, not mentioning any value or quantifying those benefits, of, "Up to 210 operational jobs." The third time in their report that it is mentioned is, "An average of 210, and a peak of 230 jobs." The last time that they mention it, they actually do then have some consistency, "An average of around 210 employees," and once again not mentioning the economic benefit of the project.

I suspect that the reason they don't is because it is reported in the Gillespie Report, as part of the environmental impact statement, that to the people of New South Wales, this project will bring a value of \$44 million. Now, I'll just pose the question, the risk associated with that minor benefit, and the real threat to people's health, social wellbeing, is it worth it?

Back to Gillespie Report, they describe a cost-benefit analysis as, "A method to assess the relative economic desirability, brackets, economic efficiency of competing alternatives." I have looked, and I have looked, and I cannot see where they describe any alternate, competing, oh, competing alternatives. And the one that sticks in my mind, and I'm sure a lot of other people in this community, is tourism.

On one of their tables, which I have here, they refer to other industries, and they describe other industries of having no material impact as a result of this project going ahead. Now, I put to the, to the commissioners, tourism in Mudgee region is currently valued at \$200 million per annum. There are, if you Google it, 443 homes or rental properties listed on Airbnb. It has been an emerging industry in Mudgee for the last two decades, and will continue to grow, culminating, as we stand here today, Mudgee being nominated twice, as we have heard-

Gary Rush:

... and here today, Mudgee being nominated twice, as we have heard previously. Um, Australia's top tourism town. A decrease, as a result of this mine going ahead, of 10%, 20%. You soon realize that the maths do not stack up, with the 44 million compared to the 200.

Now, if I quickly can, commissioners, I know the bell is going to ring here. Uh, I just want to talk about the Aboriginal heritage. In the report of landscape... May I have 30 seconds more? Thank you. They referred to the significance, educationally, scientifically, of particularly, the shelter as being moderate. Now, what does moderate mean? Education? I don't know. Moderate, as an artifact. Compared to the Rosetta Stone, I suppose it is moderate. But archeology is a study of our history. And it's a demonstration of our past history. And to dismiss it the way that it has, and for the Department of Planning to accept without question the submission of the heritage plan by the proponents is preposterous. Absolutely ludicrous, that the Department would not question, and actually provide the people of New South Wales what "low," "moderate," is, is all about.

And if I can finish on this note, with regard to the protection of that shelter, the commissioners would be well aware, because Commissioner Duncan asked this question to Bowdens in the recent meeting. And I'll finish by reading this, if I can.

"One quick question on the Aboriginal cultural heritage, 56 sides. 25 need to be removed." This is Commissioner Duncan, by the way. "Does that include the rock shelter with potential archeological significance? Does that stay or go?" Now, in their report, Bowdens' report, it actually articulates, from the consultants, what they need to do with that site.

Here is their response. From Nick Warren, "Uh, no, that is... That will need to be removed. But we've committed to do subsurface evacuation prior to any sort of, anything occurring there. So it's not really, uh... It's not a rock shelter as much as it's a cave. There's no evidence of... Uh, there's no artwork in that, in the shelter. It's, uh, the, you know, basically the... When they were doing the surveys, they identified that this is, potentially, may have been somewhere where Aboriginal people may have sheltered in the past. But it's really quite small, but was recognized to have potential. So the commitment there was to do some subsurface investigation, but it was considered that there's not likely to be substantial artifacts. It wasn't like it would support a campsite, or any of that."

I'll leave you to ponder this. Does that sound like a response from somebody who is across the recommendation of protecting whatever's in that shelter? It doesn't sound like it to me. Thank you very much, Commissioners.

Commissioner Duncan AM:

Thank you, Gary. Gary, before you go, are you, are you planning on putting in a submission on the issues you've raised?

Gary Rush:

Yes, yes.

Commissioner Duncan AM:

Okay.

Gary Rush:

Thank you.

Commissioner Duncan AM:

It's open until next Friday.

Gary Rush:

Yes.

Commissioner Duncan AM:

Friday week. Okay.

Gary Rush:

Okay. Thank you.

Dr. James Smith:

Thank you, Commissioners. Our next speaker is Peter Roberts, R O B E R T S. He's joining us via telephone. Mr. Roberts, can you hear us?

Peter Roberts:

Uh, yes, I can.

Dr. James Smith:

Excellent, I can confirm that we can hear you. Can you please proceed now with your submission?

Peter Roberts:

Yes, thank you. Uh, yep, my name, as you know, is Peter Roberts. Um, I'm a general practitioner who has been practice, practice, practicing in Mudgee for the 35 years. I wish to object to the Bowdens project in Lue on numerous medical grounds. I've read the environmental risk sciences report into the health effects of the mine and their conclusions.

My main concern is the anxiety and social dislocation this project will and has caused to the people of Lue and surrounds. Over the years, I have looked after patients, uh, from the small towns of Wollar and Ulan, uh, who have been significantly impacted psychologically from the direct effects of mining. I have seen significant anxiety and depression manifest in these populations, leading on to them leaving their communities and struggling with ongoing loss and helplessness. Wollar community, particularly, is

unrecognizable to what it was when I came to the region. This anxiety and helplessness in the face of a relentless mining company, I now see in the people I know from Lue and its surrounds. The psychological disturbance has not been addressed by the environmental risk sciences reports.

Another one of my concerns, which has been expressed by residents, is noise disturbance. From my experience, any level of noise disturbance is psychologically damaging when the source is related to an unwanted project. This also relates to visual disturbance, as well.

Furthermore, there is considerable concern about lead levels, particularly in relation to young children and pregnant mothers. The WHO states that any lead level in the blood may be hazardous. Port Pirie, although a smelter and not directly related to Bowdens, is currently recording the highest levels of lead in children in decades. This is despite multiple reassurances from the industry, and after they had spent \$291 million to mitigate risk. It is no wonder there is a higher level of concern regarding mining industry reassurances. A Macquarie University study stated that every rise of 10 micrograms per deciliter in the blood leads to a drop of 13 points in IQ. Even low levels of lead in children's blood can lead on to reduced growth, learning difficulties and behavioral problems. The parents of children in the Lue region will be understandably extremely anxious, despite any reassurances from the mining industry.

They will more, will be more anxious if they had read the Australian Financial Review on the 13th of February 2022, where there was reports of a highly publicized case of a baby who suffered brain damage. Uh, reportedly as a result of lead admissions from Glencore's Mount Isa smelter. She repeatedly had blood levels above national health standards. Glencore argued, uh, in court, that her blood levels were the result of, and I quote, "Naturally occurring lead, caused by the processes of weathering and leaching of rocks in the area," despite the fact that there was a large smelter and a mine within two kilometers of the town. Given Glencore's stance, I would recommend all children, pregnant mothers and concerned adults in the area have their baseline lead level checked before mining starts and rechecked regularly. A blood test for a young child, in my experience, is very daunting and a traumatic experience, let alone having to be done on a repeated basis. It will also place an extra burden on the already heavily stretched Mudgee medical system.

And on that matter, Bowdens has stated that it will create 320 direct construction jobs, and 228 ongoing operational jobs. We now have a critical shortage of doctors in Mudgee, with the prospect of three to four senior doctors retiring in the next few years. I can see nothing in Bowdens' plans to address this issue. With the multiple solar and wind farms and grid construction projects about to happen in our district, I see a critical shortage of doctors and nurses in the near future, which has been totally ignored.

Having seen the social and psychological devastation to rural towns such as Wollar from the mining industry, I do not want to see this happen to the people of Lue. My opposition to... My opposition to this project is holistic and looks at the real threats to the psychological and physical wellbeing of a thriving, tribal rural village and surrounds. That, that's, that's my, my submission.

Commissioner Duncan AM:

Thank you, Dr. Roberts.

Dr. James Smith:

Thank you, Commissioner. I call Hunter White. Uh, Mr. White, if you could please come to the podium. Uh, Mr. White, are you here?

Audience:

He thought he was speaking later.

Dr. James Smith:

All right.

Oh, certainly, if you could just see. Someone at the desk. Um, is Derek Finter present and able to come forward? Um, otherwise, next on the list before the morning tea break, um, is Jolieske Lips. Thank you, Mrs. Lips.

Jolieske Lips:

In case you're wondering, it's pronounced Jolieske.

Dr. James Smith:

Excellent, no, I appreciate that. Uh, and for the transcript, surname, L I P S. Thank you.

Jolieske Lips:

Correct.

Dr. James Smith:

Thank you so much.

Jolieske Lips:

Correct. Okay, thank you for the opportunity to speak to this PAC hearing. I acknowledge the Wiradjuri Nation as the traditional owners and custodians of the land on which we are meeting and pay my respect to elders, past, present, and emerging. We are tired. Like many other communities, we've been hammered in the last three years. Fires, the mega Gospers Mountain and the palmasoke fire, floods, mice plague, COVID, possible greenfield coal mine, and more floods. Yet somehow, we gather the energy to front up to yet another PAC, to fight for the health of our children, protection of our water resources, and to preserve our biodiversity. This is not a factual presentation. Sorry, I think I'm reading the wrong one. Sorry. I'm reading my personal one rather than the Running Stream Water Users. So shall I continue and then do the other one later? Okay.

Commissioner Duncan AM:

Yes, please continue.

Jolieske Lips:

Yep. So this is not a factual presentation but an emotional plea. Jobs are not the only things of value. Jobs, jobs, jobs. A constant mantra. These jobs are always presented as a net gain, but that is never the case. There are also jobs lost, such as agricultural jobs, when the farmland is bought up by the mine. Jobs, jobs, jobs. The magic mantra that seems to outweigh other considerations.

And what are some of these considerations? Labor shortages. We don't need more jobs in the region. Talk to the farmers and the various hospitality industries around here, which face chronic staff shortages. Children's health. There is no safe level of exposure to lead for a child. Water. Water is life. This mine has not convinced us that there will not be an impact on water security, and even important, more important, that there will not be irreparable damage to water quality. Acid mine drainage and leakage overflow from a toxic tailings dam are very, very real threats to which Bowdens have not provided credible solutions.

Private gain, public cost. It is the public who bear the cost of dealing with the dust, noise and traffic. A small example: my friend who lives near the proposed mine site has been offered double glazing to combat noise. She did not move to the country to be hermetically sealed inside her house. She now faces the prospect that every time she goes outside to work in the garden or the paddock, she'll be just subjected to noise and lead dust. What cost.

And here's an actual recent example of the cost of noise impact, that which happened to the residents of nearby Cumbo Valley. At planning stage, Wilpinjong mine claimed there would be no noise impact on Cumbo Valley, and then for years, denied that the residents were being affected. However, finally, medical evidence and growing awareness of the impact of infrasound low frequency noise, or ILFN, forced a change. Eventually, all residents were bought out by the mine, but only after many severe medical issues and in many cases, insufficient price to relocate in the Mudgee area, where they had friends and community. What cost. And what will actually happen around Lue?

Visual amenity. Two years in a row, Mudgee has been voted best town to visit. Part of that visit experience is the scenic drive from Mudgee to Rylstone, via Lue. Who wants to drive past a lead mine?

Biodiversity. You will already have heard all the arguments, but I'll just touch on one - the endangered ecological community of Box Gum Woodland. "Oh, it's only approximately 50 hectares that'll be lost. Just another 50 hectares." Has anyone presented the cumulative total of how much of this EEC we have lost in the two decades, with each mine approval and each mine extension approval? 50 hectares here, 13 hectares there, 60 hectares over there, 100 over there and 100 over there. And so we will talk to our grandchildren about the delicious yellow box honey that Mudgee region used to produce. What cost.

Rather than protecting another remnant as an offset, are there any plans to actually replace what is being lost? Any plans to buy clear land, replant it over a few decades and manage it for a few more decades, until it starts to resemble what was destroyed? Of course not. That costs too much. But it would provide jobs.

Yes, this mine will provide some new jobs, but the cost is not worth it. This mine should not be approved. Thank you.

Commissioner Duncan AM:

Thank you.

Dr. James Smith:

Thank you, Commissioner. Our next speaker is, um, Sandy Walker? Mr. Walker, if you could please come forward, thank you.

Sandy Walker:

Thank you, commissioners, for the opportunity to speak. My name's Sandy Walker, and I would like to speak as a resident and a business owner. As a local, I will speak in favor of the development. It would employ 225 direct jobs, they are high paid jobs and will last for 20 years. The opposition to the mine going ahead are lies, no facts, no figures and no drilling samples. Just a scare campaign that's been running. The company Bowdens Silver will have paid New South Wales government an ongoing royalties each year. Last year, the mining, mines in New South Wales paid the state government \$16.7 billion. That's what pays the schools, hospitals, police and ambulances. Mine workers will pay tax every week, mines will buy services and goods from local businesses every week. They have proven to be good citizens and support local sporting groups.

Bowdens Silver are a professional mining company, they employ qualified geologists, engineers, heavy machinery operators, plus office staff in Lue and Sydney. Bowdens Silver know how to operate and safety mine in air, water and biosecurity conditions. My son-in-law manages a mine, as CEO at Narrabri. He spent 12 years as an engineer and 20 years in a mine manager, and has 400 people working for him. What an insult to people like him, and the management of Bowdens, to say they don't know how to operate a mine.

.... in the opposition group, come up with facts and figures, not just running around telling stories. As a business owner, I own Midwest Shed Company, for 16 years, I have sold over 450 sheds. My company that I distribute for, last year sold 1000 sheds worth \$20 million. Yes, I have quoted Bowdens for a shed back in 2016, to house, house their core samples. Bowdens will buy only one shed in a lifetime, but Bowdens will buy goods and services each week, for 20 years while the mine operates.

Thank God for putting the silver underground there 2,000 ago, not knowing the world would need silver in 2020 and beyond. Some of the uses are solar panels, aviation, space, aerospace, electric vehicles, mobile phones, TVs and other appliances, and is widely used in the control of bacteria in water and medicine. Thank God for Bowdens that have spent millions of dollars, waiting for the seven year DA approval. Well, you must never, ever forget that the royalties keep Australia going, and Mudgee, where rents are up to \$1,000 a week, and houses are making \$1 million. Thank you.

Commissioner Duncan AM:

Thank you, Sandy.

Dr. James Smith:

Thank you, Commissioner. I call our next speaker, which is Derek Finter, F I N T E R. If he could please come forward to provide his presentation.

Audience:

The reason Derek was up yesterday and he was supposed to speak yesterday. He submitted a written submission at the time and he was asked if he would come back today.

Dr. James Smith:

All right. No, thank you for that. Otherwise, is Mr. White here? Hunter White? Oh, Mr. White, are you able to address us this morning? We have you allocated, if that's a convenient time.

Hunter White:

Um, thank you very much for the opportunity to address the, the panel. Um, I'll introduce myself first. Um, can you hear me? Bit up, up a bit higher? Good. And I'll make sure that I speak up. How are we going? Okay. Um, just to repeat that thank you to the panel for the opportunity to speak today. Um, I'm Hunter White, I come from Havilah. It's on, um, Wiradjuri land. It's 10 kilometers from the proposed mine site. Um, as I said, I'm a farmer and, uh, I'm actually the custodian of 2,000 hectares of land. It's an intergenerational family asset. It's on Lawsons Creek. Also in my firm exist, uh, 60 Aboriginal heritage sites. Um, I think that's significant. I feel that responsibility. I manage land, I manage land as if I'll live for 1,000 years. It's not a short term prospect for me. Um, I've been awarded an OAM for service to agriculture and the community, and um, I have a significant amount of experience in not-for-profit boards in the area of agriculture, education, natural resource management and community events.

Um, this actually brings me to my first concern. I think you're getting the idea that I am opposed to the, uh, prospect of a mine in this location. And, um, I don't know any other way to say this. Um, I'm also a member of the Australian Institute of Company Directors and I'm trained in complex agreement negotiation, so I've had a lot of experience, um, managing complex stakeholder groups. It's not easy work. But I believe, um, just like to bring to your attention that I think you have, potentially have, an unsafe workplace. And I'm referring to the CCC. I haven't been a part of it, but I feel that it has not protected vulnerable communities. Vulnerable communities would be adjoining land holders, Aboriginal community, and the environment.

I'd like to, uh, possibly declare a conflict of interest. I have been involved in Lue Action Group. Um, I have asked people to donate money, um, and that is to engage the experts that we've heard here today, and I would like to acknowledge the people that have supported, and I would also like to acknowledge the enormous volunteer contribution.

I'll go on with my other concerns. I know these are addressed in other parts of the program, uh, but my concerns are mainly in the social and economic areas. I'm concerned about the noise, the noise levels, and the baseline data that the government is relying on to approve this case. And I'm just asking, who is checking this information? To be, um, more specific, um, I've read that the baseline data of noise is set at 35 dB. I believe it's actually lower than that.

How much time is that?

Phoebe Jarvis:

One more minute.

Hunter White:

One more minute, okay. Okay. I'm, I'm concerned about, um, the modeling for high water flow. I'd like to bring your attention to the recent experience at Eugowra. The flooding there was immediate, it was a local event, it wasn't actually the... It wasn't the dam, the Wyangala Dam. Um, the Wyangala Dam had a big discharge of 10 megaliters, 10,000 megaliters, um, per hour, uh, which is a third of the size of the tailings dam. There's been no consultation with land holders, with dwellings, uh, I'm included in this. Um, say, um, a meter, two meters, um, above the current high flood level Mudgee recorded in Lawsons Creek, um, during floods in the last 20 years.

I am... Would you like me to conclude? That's, that's fair enough. Um, in conclusion, um, recommending the mine doesn't proceed. The proponent's not met the SEARs condition, and is proposing what I believe are untested strategies to mitigate risks based on modeling which is not local to the area. I think the, uh... Uh, I'm concerned that the government is setting the bar far too low for greenfields mine site in this location and the socioeconomic trade-offs do not balance up for the Mudgee community. Thank you.

Commissioner Duncan AM:

Thank you, Hunter. Uh, just a reminder, if you wish to make evidence submission, they're open until Friday week. Okay?

Hunter White:

I'm aware of that. Thank you.

Commissioner Duncan AM:

Thank you.

Dr. James Smith:

That's it. That's morning tea now.

Commissioner Duncan AM:

I think we're now going to have a morning tea break, and we'll return, uh, at midday. Thank you.

Dr. James Smith:

All right. Welcome back every one. If I could please now call Kate White, W-H-I-T-E, to provide her submission to the commission.

Kate White:

Good afternoon, commissioners. My name is Kate White, and I strongly object to the Bowdens silver and lead mine at Lue.

I have been in the Mudgee District for over 35 years. Mudgee was a small country town then. It had a few vineyards and a few pubs. There was very little tourism, no one would consider going to Mudgee for a holiday, let alone know where it was. I've seen the area change into a prosperous region, not just allowing, not just relying on agriculture, there is mining, but not a lead mine. The tourism industry is booming, winning Australia's top tourism town two years running.

The town promotes itself as a food and wine hotspot with an environmentally sustainable conscious. The environmental stability has attracted many people to either holiday or relocate from major urban cities.

My family run an agricultural enterprise 12 kilometers north of a proposed site growing both fine wool and beef. Agriculture is booming, the first time in my life. My children have returned to the business, and everything is going ahead, until the Bowdens silver lead mine.

My concern is the environmental ramifications of this mine if it proceeds. What happens to Lue and Mudgee region? The lead mine being only two kilometers from the township of Lue, this will not prevent the damaging effects that the lead dust pollution will have on the agricultural land and the community.

The lead dust will adversely affect the ground cover, the pasture growth, the air, water, quality, water quality for all people and animals. The satellite images of the smoke from the recent bush fires can attest to the far reaching effects of air pollution. The acute exposure of the smoke from the Wollombi bush fires over 122 kilometers away from Mudgee resulted in failure of crops from the vineyards due to the smoke. With this in mind, would lead dust be similar in a wind event in the middle of a drought?

For my question, I have some questions for Bowdens. If you're living in the township of Lue, would you be able to guarantee that you will always be able to drink water, have a vegetable garden, and let your children play outside in the grass? Would you be prepared to place the children in the bath where the water is polluted with lead dust? This is a very big commitment when you're wanting to proceed with a lead silver mine.

So what will happen to Lue if the mine goes ahead? Would it have those same results as the Township of Lah or other tiny towns next to the mines? It will be gone. Who wants to live near a silver, lead, zinc mine, whatever you want to call it? One of the proposed benefits of the implementations of the lead

mine is the jobs it will create. But, what of the livelihoods businesses in the vicinity that rely on health and quality of land? What happens to the tourism and people relocating? What happens to the wine, the honey, the fruit, the animals, and the contam-, that are contaminated lead. There is no market for any of them.

This is not adding work to a workforce, it is simultaneously putting others out of work. The sil-, the Bowdens silver lead mine will directly and negatively impact other industries in the ar-, area creating an imbalance which will be detrimental to the community. This mine, which is only proposed to be operational for 16 years, is very shortsighted in boosting the economy. The longterm environmental effects to the area is far more significant. When the tailing dam fails, or the acid rock drainage occurs, which it will, and there is n-, another 100 years flood, and the ramif-, the ramifications will last for infinity. There is no fixing the poisoned water ways to Burrendong. The river systems and the occupants will be destroyed. So the question will be, will be, the response, sorry, so, the question lies, who will be responsible for this? Who will endeavor to fix it? Bowdens or the company they have sold it on to? Or the government that is in power at the time?

It is not guaranteed that this devastation will not occur. There's no rehabilitation to this site, it will be here for eternity, for generations and generations behind us to combat the issues that have arisen from this mine. The effects of Bowdens lead mine is so far reaching and dangerous to the, dangerous to quantify opening this mine in a region which is thriving from both environmentally and economically. We do not need this mine. Thank you.

Commissioner Duncan:

Thank you, Kate.

Dr. James Smith:

Thank you commissioners, uh, our next speaker is Robert Erskine OAM. Robert is joining us online. Uh, Mr. Erskine.

Robert Erskine OAM:

Yes. Can you hear me?

Dr. James Smith:

Uh, I confirm the commission can both hear and see you clearly. Can you please proceed, thank you.

Robert Erskine OAM:

Okay. Thank you. And I'd like to thank the commissioners for allowing us to speak today. My, um, problem with the Bowdens mine, and I'm against the, against the mine, and I'm also, I do support the Lue Action Group. My pr- problem with it, as been, previous speakers have said, at least one of them, is the lead, looking up at, um, the CDC in the United States and also the New South Wales Health Department, there is no actual rating of what is dangerous to a chil-, to children with the lead and the, um, ourselves, even ours-, even the adults.

But everybody's, has spoken on that. I'd like to concentrate on the, um, the water. Quality of the first of the, um, tailings swamp, the tailings dam where is it, what, uh, 30, it says 30 million pounds will be of tail-, of acid performing tailings will be in this tailings dam and almost the whole block will be at the end of it. Now, the tailings scheme contains, as we've all been told, all the, the arsenics and the cyanides and

everything and this is corrosive. It will leak into the, the, um, Lawsons Creek. There's no doubt about that over the period of time.

And as someone that's seen what leachate can do to, um, to the ground, we, I used to work in a, a business that supplied pumps to, um, pump out leachate and every couple of years, these are standard steel pumps, every couple of years, we had to replace the pump and that was, um, in the metropolitan Sydney area where the leachate was that was pumping leachate out. So these tailing beams are corrosive, and that, and if it gets in, well, which, it probably will get into Lawsons Creek and then proceed down to the Cudgegong River, it will affect the whole river system, and the Cudgegong, the Mudgee Flats, are supposed to be some of the most fertile flats in New South Wales. And it will be affected because they draw the water from them, the Cudgegong River.

So that's a problem, and there is no, um, guarantee that this will not happen. It is also the fact that, um, the acid, acid, um, water will get back into the river systems, and as we saw yesterday, the, um, the Lawsons Creek, back in, what, nine, 2019, was empty of water. And, it's no guarantee that that won't, won't happen again, and it probably will because that's, that's what Lawsons Creeks, I've seen Lawsons Creek dry a couple of times, and I've been, uh, involved in around Lue for the last 70 odd years. So, the, um, and the family's been here for, since 1914. So, it does happen, and there's, it, the Bowdens recon that 11% of water is going to be taken from the, um, Lawsons Creek. How can that happen? And where else is the water coming from?

But that's, that's about all I have to say. I'd just like to say that I, I am involved in community organizations. I have been for 42 years, and, um, I've got my, how I am through, uh, services to the community. So, thank you, and I'd like to thank the committee for listening.

Commissioner Duncan:

Thank you, Robert. Thank you for your time.

Dr. James Smith:

Um, thank you. Uh, commission, the next speaker is also joining us online. Uh, it's Linda, um, Peng, P-E-N-G. If you could please join us online if you're there.

Linda Peng:

Hi.

Dr. James Smith:

Excellent. I can confirm that we can both see and hear you, if you could please now provide your submission, thank you.

Linda Peng:

All right. Perfect. Thank you. Firstly, I would like to thank the commission for the opportunities to speak here today and to register my support for the approval of the Bowdens silver project. Um, my name is Linda Peng. I am currently completing a joint degree in earth sciences, ecology, and commerce at the University of New South Wales. For the past three months, I have had the opportunity to reside in Mudgee and work at Bowdens Silver as an intern in their exploration geology team.

Before being given this opportunity, I was uncertain about my future career pathways and employment opportunities after graduating from university. However, this opportunity has given me valuable hands on experience to see what exploration and mining is about by applying my knowledge through real life

cases outside of the classroom environment, which has strengthened my capabilities and given me greater confidence in career pathway I have chosen.

Besides employment security, as a 20 year old, I care deeply about a company's operation model and its future environmental and societal impacts. Um, what I liked the most about working for this company was that they encourage employees to take a holistic and responsible approach to mining, rather than getting pigeonholed into pure technical work.

So prior to that, I didn't realize mining and farming can actually coexist so closely while the rehabilitation work commences way before a mine is even built. Um, besides working on exploration, I was able to assist with environmental monitoring and rehabilitation through water testing, native seed collecting, and propagating. I was told the importance of community engagement from day one. I even attempted, um, cattle work for the very first time, which is not something interns normally get to experience during their vocation work programs. However, these are all preter projects of a mining project and should be widely taught amongst every young professional entering the mining industry.

Um, furthermore, Bowdens' silver deposit is fascinating and it holds significant research value, attracting scientists from different disciplines. The company has partnered with several higher education institutions across Australia, and they are always supporting academic research. There have been seven an-, honors and PhD published thesis projects on this deposit in the recent years. That is on average one student being funded and mentored by Bowdens each year.

All in all, Bowdens creates a really unique education and employment opportunities from people both, from both within and outside of the Mudgee region. And having seen the process of how the operation is being carried out, I feel confident in the company's methods, and I am happy to share my support for the approval. Thank you all for your time.

Commissioner Duncan:

Thank you. Thank you very much. Thanks, Linda.

Dr. James Smith:

Okay, commission, the next speaker is Jodi Fekkes. Ah, for the transcript, F-E, double K, E-S. If you could please, uh, join us at the podium to provide your submission.

Jodi Fekkes:

Thank you commissioners for the opportunity to speak today. I would like to also, as many have done, pay my respects to the First Nations People of our land and all of the lands on our Earth. The people who came before our culture and other cultures who interrupted the indigenous cultures. And they were here, all indigenous cultures, were around for thousands of years, and I'm not sure that our culture is going to be able to say the same thing.

I am here to represent the environment. I'm not here as part of any group, although I have been to several Lue Action Group meetings. And I'd like to say I have respect for all people that are here and all beliefs that are here.

I currently work as an organic gardener. I've been working in the dirt most of my life. I've been growing food since I was 17 years old, in the dirt. And I prefer my dirt to be clean, thank you very much. I've also worked in hospitality tourism. I had about 15 years experience in the town of Mudgee, and I've lived in this region for 35 years. I've lived in the Lue District for about five or six years now.

There's a lot of jobs going in hospitality, and there's plenty of jobs in gardening, if anybody's looking. I still have hospitality interest in the form of a local café, where I take home spent coffee grounds, chook

scraps, and other compostables because I believe strongly in the environment. It doesn't pay me anything to do those things. I could earn a lot more money working instead.

It seems to me that this whole proposal is really about money versus the environment. And there does have to come a point where if we don't choose the environment, all we'll have is money. Unless I'm wrong, you can't eat it, and you can't drink it. It won't sustain your life.

We've heard lots of information around the pollution that is probable from the Bowdens project. I'd like to quote someone I admire greatly. From his recent book, written in 2020, his name is David Attenborough. Is there anyone who hasn't heard of David Attenborough in the room? His book's titled A Life on Our Planet, and the subtitle is, My Witness Statement and a Vision for the Future. I would like to quote what he says in his book if I can find it. Here it is. In 1937, so in my grandmother's time, the world population was 3.3 billion. The carbon in the atmosphere was 20, two hun-, sorry, 280 parts per million. The remaining wilderness was 66%. We're gonna jump forward to 2020. There were lots of information in between of the slow decline, or maybe the fast decline of our environment.

In 2020, the world population is 7.8 billion. The carbon in the atmosphere is 415 parts per million. The remaining wilderness is 35%. Is that enough in your mind?

I live at Breakfast Creek, catchment area for Lawsons Creek. I know we have a biodiverse area because I live there, and I spend more time in the outdoor environment than I do in the indoors. I know what time it gets light. I sat and listened to the birds this morning as I drank my tea and contemplated what I would say here today. I wondered whether I'd be able to do it, and I don't think I've ever stood before people and spoken before. But this was too good an opportunity to miss, not just because it's happening in my local environment, but because the entire world needs people like us to start to change things.

And it's a big change, I'll grant you that. It's a huge change. But it's still possible according to David Attenborough. Only just, though.

I'd just like to tell you in closing some of the diverse species that we currently have in our area. There are 120 bird species have been counted on the property that I live on. We have kangaroos, wallaroos, wallabies, wombats, opossums, bats, goannas, otherwise known as lace monitors, geckos, snakes, frogs, spiders, bees, blue banded bees, natives, orchard swallow butterflies. It's immense.

We already know what changing the biodiversity of that system will do. We know that biodiversity is on the decline. We have an opportunity to change that. Thank you.

Commissioner Duncan:

Thank you, Jodi.

Dr. James Smith:

Mm. Thank you, commissioners. I call Rowan Mills. Row-, Mr. Mills, if you could come forward.

Rowan Mills:

My name's Rowan Mills, and thanks for the opportunity to speak to you. Um, I'm part of a family farming business. It has two properties, one downstream of the mine... One downstream of the mine, and one that'd be probably best described as being upwind. Uh, the downstream property adjoins Lawson Creek, it, it relies on Lawson Creek for irrigation, for stock water, and my great fear is, um, a dry time in Lawsons Creek would become a drought, and a drought will become something that you can't recover on, recover from if you're taking that much water out of our catchment.

Now, the property I live on is the windy side of the mine, and I've been told that the two most affected areas are Powells Road and Pyangle Road, and my property adjoins both those roads. Now. Um. I heard, I only wrote down two things, I don't know if I left it, but Tony McClure said that, um, Corkery did the m-, did the most extensive and thorough EIS that you could imagine.

Now, I ran into three people working for Corkery, taking pictures from their car of Powells Road at my property, and I said, and after they introduced themselves and told me what they were doing, I said, "If you want to take a picture, come up to my house, and you got a look from my house down into the pit itself." And one of them said, "No, that wouldn't be true."

So I convinced them to come up to my house, we stood on the veranda, they put a map on the table, got out their photo lens on the camera, look down, they said, "Ah, yes, you will look in the mine." And the other genius from Corkery said, "Yes, but once the mine gets down, you'll only be able to see the back wall of the mine." (laughs). And I said, "Well how would you like to look at the back wall of a mine after enjoying a view, your family view for 70 years?" No response. No response.

Now, I said, "The last owners of the, the project were Kingsgate, and early on when they owned it, they came up and they s-, they s-, they said they stood on exactly the same spot, and, and they told me, they said, "You live in a natural amphitheater, you won't be able to live here because the prevailing wind of just sound and dust."

And that's exactly what I told them. I said, I said, "The last people that stood here said I won't be able to live here because I'm in a natural amphitheater, all I'll get is the sound and dust from the mine. What do you think?" No answer. This is from Corkery. No answer. So, I'd like to take the opportunity to ask Tony McClure, in his closing statement, could he address the two simple questions. Would you like to look at, instead of enjoying a view that your family's had for 70 years, would you like to look in the back, back of a pit? And do I live in a natural amphitheater where all I'm going to get is wind, the, the, dust and noise from your proposed pit? Thanks very much for the time.

Commissioner Duncan:

Thank you, Rowan.

Dr. James Smith:

Uh, commissioners, our next speaker is Lucy White. I call Lucy White to the podium. For the transcript, W-H-I-T-E.

Lucy White:

Thank you. Can you hear me? Uh, good afternoon commissioners. Thank you for the opportunity to address the commission today as part of your assessment of the Bowdens project at Lue. My name is Lucy White, and I'm appearing today as a regional tourism professional and to point out why the economy, specifically the tourism industry and the visitor economy were not critical assessment criteria in the Department of Planning's assessment of the Bowdens mine.

For context, I've been employed in the regional tourism industry in this region since the mid-nineties, specifically in managerial roles. I was the CEO of Mudgee Regional Tourism for five years, the executive officer of Central New South Wales Tourism for four years, and I'm currently employed as the general manager of Destination Country and Outback, New South Wales. It's one of seven regional networks established by the state government in 2017. Um, the networks are a conduit between the New South Wales state government, local governments, and tourism businesses across the region. Our job is to highlight issues in the region and speed them back to the state government.

From mid t-, from 2012 to 2016, I was an elected as a councilor to Midwestern Regional Council. For the record, I'm not representing any of the organizations to you today.

I'm here to point out that visitation to the Midwestern region area and its visitor economy are at risk from the proposed Bowdens mine. And I'm also here to point out that the report by the Department of Planning overlooks this vital issue, and some powerful, important, and relevant supporting key statistics in its key assessment issues.

Tourism is now described as the, by the state government as the vit-, the visitor economy. The visitor economy encompasses the direct and indirect contributions to the economy. It is everyone's business resulting from a person, a visitor, traveling outside their normal place of residence, meaning that many, many small businesses benefit from this industry.

Uh, at the state level, just for some context, the New South Wales visitor economy supports 107,115 businesses, 296,000 jobs, and in 20, 2019, the visitor economy contributed 38 billion dollars to New South Wales GSP, growth state product. That's h-, that is, I said 38 billion, uh, speaker earlier mentioned today that mining royalties were 16 billion dollars. Have a crack at the tourism visitors as twice.

It's one of the engine industries expected to drive the regional economy of New South Wales. It's not anticipated, it's articulated in plans, it is expected to drive by the state government. So, those of us committed to working in, committed to and working in this industry, we're busy trying to make these targets, so too here is the team hear in Mudgee, the tourism targets. It's big business, so it needs a far more rigorous analysis of the impacts to this industry as a result of the proposed lead mine in a region where it adds, the visitor economy adds 20, 200 million dollars to the annual economy. That's a lot of money.

Like all state governess, the relevance of the New South Wales visitor economy strategy needs to be mentioned. Here is a document, uh, from which all of the 37 local government areas we have worked with since 2017 need to reference and align to their own tourism plans. It's a government imperative that all regional and local plans are prepared to align to the targets and the objectives in this document, and indeed, the Mudgee Region Tourism dem- Destination Management Plan is one such example. It actually states, the new one, "Importantly, we are committed to creating a plan for the future of our visitor economy for the whole region, from Gulgong to Kandos, Rylstone, Mudgee, and our beautiful rural villages. Through continued collaboration, we will be able to further grow the appeal of the region, create more reasons to visit, and encourage more people to stay longer."

So I find it incredible that they, none of these documents are referenced in the plan because this one is the plan that provide, provides the road, the roadmap to support all industries involved in the visitor economy to recover from the impact of drought, bush fires, and Covid-19, and to grow into the future. It, this sets a vision for New South Wales to be the premier visitor economy in the Asia Pacific Region by 20, 2030. My aim, it's aim is to stimulate prosperity, create jobs, and enhance the lifestyle of the people of New South Wales. So, why is the economy, the visitor economy not considered as a key assessment criteria or barely mentioned? Given it's one of the most ver-, valuable economic drivers in the region.

To exclude any meaningful mention or exploration of the value of the visitor economy in this region when considering the strategic context is misleading and overlooks a number of important overarching documents, which I've mentioned. The assessment report mentions the word tourism only three times over f-, 115 pages. As in three words. No commentary, no analysis, no data. The visitor economy contributes 38 billion, 6% of gross product regionally, which includes the Mudgee Region, the s-.

Lucy White:

... 6% of gross product, regionally, which includes the Mudgee region. The central region visitor economy supported 2,254 jobs, businesses, and attracted \$5.2 million and \$6.3 million, and contributed \$1.3 billion to this region. Locally, Mudgee attracted \$826,000 and, in the four-year prior to that, an average of about \$691,000. Given that 540... 453,000 people live in the ACT, add another 140, that's how many people are coming to Mudgee each year to spend money because of the tourism industry. That has also made a massive increase. The visitor economy employs 930 people directly as a result of this expenditure.

I've got a fe- one more, a few more minutes. Thank you.

Commissioner Duncan AM:

Keep going.

Lucy White:

Uh, this is 20 time... 21 times the jobs in metal mining and six times the job in mining other than coal. The source of this data will be appended to my written submission and is supported by a report prepared by an independent consultant whose role is tourism and aviation economist at Tourism Australia for seven years. I think he's well-placed to provide this information.

Visitors are coming to Mudgee for wine, to eat, to bush walk and, now, according to the Mudgee Destination Management Plan, nature and the region's wildlife, from birdwatching and kayaking to Ganguddy-Dunns Swamp, and walks in the Wollemi Na- National Park. It also includes nature-based trails, such as the Lawson Park sculpture, and multiple sites in Rylstone and Kandos. How's that gonna work with lead dust, trucks on roads, and a short of wattage for locals, let alone high-spending visitors? The latest Destination Management Plan addresses wellness tourism, identifying as, as one of primary the- experience themes. It's a sector that's growing globally, integrating sustainability as much as it does human wealth and well-being.

This is a region recovering from a disruption in 2020 to the visitor economy, which was unprecedented. The impacts of travel restrictions, numerous lockdowns, and the immediate halt to people movement, the increased health and safety concerns exacerbated the issue. The economic impact was ugly. Suddenly, the industry said, "Where are all the visitors? We want them back." To their credit and their investment, Midwestern Regional Council and Mudgee tourism moved fast, implemented actions to keep the brand top of mine, and managed to nimbly survive this horrendous economic downturn.

Mudgee has won the hearts of thousands of Australians who voted it top tourism town, not once, but twice. As Australia... quoted in the recent edition of Australian Traveller magazine... anyone who works in tourism reads this magazine... New South Wales... I'll quote, "New South Wales' burgeoning food and wine hub of Mudgee has he- held onto its crown for Australia's top tourism town for a second year running, proving the first time was no fluke." That means that Australians know Mudgee region is a quality place to live, visit, and invest. The value of that brand recognition is incredible in value and the envy of many, many other destinations. And I know that because I've been working with 37 of them for nearly five years. That can't just be ignored, nor can the irony of an investment into a wellness strategy. The reputation of a top tourism town is a place tarnished by lead positioning, lead mining, and acid mine drainage will soon be diminished forever.

Commissioners, I urge you to assess the critical impact, economic impact of this mine, and to conduct a review of the net benefit or cost of the proposal, so that it considers the much larger number of jobs at risk from the negative impacts on the two key industries of tourism and agriculture. These have underpinned and driven the local economy for decades, both have proven to be longterm, high-yield,

and sustainable. It's been said that tourism is the golden goose for the Mudgee region, let's not cook that goose.

Thank you for your time, and enjoy the top tourism town while you still can.

Commissioner Duncan AM:

Thank you, Lucy.

Dr. James Smith:

Uh, I call our next speaker who is Phyllis Setchell. Uh, for the transcript, S-E-C-T-C-H-E-L-L. If you could please, thank you, come to the podium and provide the commission with your submission.

Phyllis Setchell:

Yes, thank you. Thanks.

Thank you for the opportunity of speaking this afternoon. Um, I would just like to focus a short presentation. As a resident of Mudgee town, I am opposed to this project. My major concerns, which I will address, relate to both the short and longterm risk to our water supplies. The traditional owners name for Lue means a chain of water holes. Bowdens Silver mine will destroy those water holes and springs that are fed by groundwater. This mine will irreparably damage the water supply for the local users and the environment. Groundwater and surface water are highly connected and impacted by mining with severe irreversible, irreversible impacts on river systems. The result in the loss of flow in Lawson Creek will have a significant impact on all water... downstream water users, including a loss of flow into the Cudgegong and, consequently, into the Burrendong Dam.

Climate change is causing an increase in, in, in extreme events. Extreme drought, being one, this area is already classed as an arid region and cannot risk losing any of the natural re- water resources that exist. Bowdens mine will destroy this delicate balance. In times of drought, farmers in the Lue area, residents along the river, animals and plants will all suffer more than in the past dry times.

Secondly, rain events leading to destructive flooding impacts are already being experienced in a widespread manner. How can Lue and Mudgee residents be confident that these rain events will not cause the overflow or collapse of the tailing dams and further leakage of hazardous substances into the river system? The natural floodplain where the Lawson Creek merges into the Cudgegong River here in town is one of the points where our town water supply is sourced. Recently, this entire area was flooded from a rain event, from relatively minor event. Note, this area is also traditionally known to flood. A major rain event could cause toxic chemicals from Bowdens mine to enter the water table and pollute our Mudgee town water supply. Children who use the Mudgee Glen Willow sporting complex will be at risk of lead poisoning as they will be exposed to this toxic water.

This project will to create two massive dumps containing acid-forming rock and a toxic tailings dam, that will be perched above the water table and local creek catchments. The huge single wall tailings dam will be less than one kilometer from Lawson Creek. Over the mine's life, tons of toxic and hazardous chemicals including lead, arsenic, cyanide will end up in the tailings. The tailings dam is planned to be built across a major geographical fault line. Any movement would increase the risk of leakage or collapse of the dam. If this occurs, the toxic water will flow into Lawson Creek carrying the hazard downstream. The Lawson Creek flows into the Cudgegong River, as I have said, at Mudgee feeding into my town water supply.

The proposed mine is estimated to create millions of tons of waste rock which will be potentially acid-forming. PAF rock contains sulfides which, when disturbed, can create sulfuric acid. Sulfuric acid is

toxic to aquatic life. And acid drainage from the sulfide-bearing rock is recognized as a major source of heavy metal pollution to groundwater and surface water ways. Heavy metals from the ore body below ground released by the acid will contaminate groundwater and, thus, surface water for decades after mining stops.

The project proposes to prevent contamination of the downstream environment by sealing underneath and capping both the waste rock in placement area and the tailings dam. However, our expert advice tells us it will be difficult to build, to design, and to quality-check construction to meet design. Leakage will not be known until it's already polluting the surrounding environment. The location of the leaks will be extremely difficult to pinpoint and, in many cases, repair will not be possible.

The proposed construction methods are untested. There is no proof that they will be successful. It is well-known that many other tailings dams have leaked or even collapsed. The risk of heavy metals leaking into the river system is realistic. The health impacts of lead poisoning are well-known. Once hazardous substance enter the groundwater, the system... the impacts will be disastrous. Is it worth the risk of these toxic wastes infiltrating the river system, Mudgee town water supply, the Glen Willow sporting complex water table? Where is the comprehensive scientific study to prove that this risk is not a valid concern for Mudgee community? When the life of the mine is over, what commitment does our local community have that the tailings dam will be maintained, monitored, and repaired? What agency will do this forever?

Five generations of my family have called Mudgee home. Even if the problems I have identified do not eventuate into the near future, it is not worth sentencing my family and my community to the risk of long term intergenerational toxic environment. Please do not approve this mine.

Thank you.

Commissioner Duncan AM:

Thank you, Phyllis.

Dr. James Smith:

Uh, Commissioners, our next speaker is Paul Brydon. Uh, Mr. Brydon is joining us by telephone.

Um, Paul, are you there?

Paul (Midnight) Brydon:

Yes, mate.

Dr. James Smith:

Excellent. I can confirm that we can hear you clearly. If you can please now proceed with your submission.

Thank you.

Paul (Midnight) Brydon:

Yes. Hello. My name is Paul Brydon. I'm a Wiradjuri elder. Uh, and, uh, my thoughts towards this mine is that look to the future where your coal mines are, uh, are, are giving down as, as, as per lot of, uh, uh... how can I say, they're looking towards more solar type, wind farm type energy, and, and the coal is on the downgrade. This, to me, not from... only from an Aboriginal point of view but from... I speak on behalf of everyone, I think, when we say as these coal mines go down, what's gonna happen to the

people when it comes to employment? This, to me, is another source of employment for the Mudgee area and surrounding districts that, uh, they will pick up the slack when those, when those coal mines do downgrade.

Also, I've not seen anything, uh, any... uh, what's the word, mate, any, uh, stuff that's saying that this, this... show me the proof that, that says this is going to contaminate water. Rain events, uh, are gonna happen whether, whether they, uh, build this mine or not. And contamination from floods and everything else is still gonna be there. Uh, you know, it, it's, it, it's stands to reason, like this is... it's good for the community, uh, good for employment within the region. Uh, uh, I can't think of anything else, mate. It, it's just... I've, I've seen no scientific proof. Look to the EPA of what they've done with a goldmine at Tomingley. If, if they've not done it right, they don't get to do it. The, the EPA just stands on them, and, and don't let them do it. The government won't let them do it.

So, uh, uh, I, uh, I, I... From my point of view, I, I say it as I see it, it's good for the community. I've been involved with this mine with surveys and everything for a long time. All I can say that... All I... There's gonna be people for and against. I think for good of community and surrounding districts, you have to approve this mine, mate. It, it, it's, it's gotta happen, uh, you know.

I, I know there's a lot against it. For what? You know that we talked about... I just heard that lady talking about contamination of groundwater. This will n- nowhere be as bad as, as coal steam... gas... fracking for gas for, you know. T- they go on. That, that contaminates groundwater also, you know. I don't know. Uh, I've, I've seen rivers where they've put a match to them and they've come alight up in the north there because of the gas coming up through the, through the water. I don't believe this is gonna happen here. Uh, and I, I dare say that if Bowdens haven't done the right thing, uh, the government departments, such as the EPA and, and your commission, will not let it go ahead. But from what I can, I can... From my point of view, for the community's benefit, uh, and employment and everything, this, this must go ahead, I believe.

And, mate, that's all I, all I'm gonna to say at this moment.

Commissioner Duncan AM:

Thank you, Paul. Thank you for your time today.

Paul (Midnight) Brydon:

Okay, then.

Dr. James Smith:

Uh, Commissioners... Oh, sorry. Commissioners, I call our next speaker which is Lara Altimira, A-L-T-I-M-I-R-A. Thank you. If you could please.

Lara Altimira:

Uh, thanks for the opportunity to speak. And I pay my respects to the elders past, present and emerging.

Um, good afternoon. My name is Lara Altimira, and I'm a resident of Lue, and I'm strongly opposed to the Bowdens silver mine project. I live in Lue village, next to the primary school, so two kilometers from the mine site. I have a four-year-old daughter, who is the fifth generation of the Brown family to be raised in the area. My main concerns with this project are the negative impacts that will have on our health and lifestyle. On our property, we have a large vegetable garden and chooks. Like many residents of Lue, our lifestyle is a quiet outdoors and healthy way of life. I run and mountain bike regularly around

Lue, and I take my daughter to play in the park on Cox Street. Will we still be able to safely and healthily do these activities if the mine is approved? I have grave reservations about this.

Dust from the mining activities will drift onto our house, garden, and Lue village. This dust is likely to be contaminated with lead and other toxins as there is going to be 15 times more lead than silver extracted from the mine. Bowdens claim this is a silver mine based on predicted revenue percentages, not on the facts, and they attempt to confuse the public on their website with varying units of measure.

The buffer zone from the mine to the village is completely inadequate. Two kilometers is too close. Bowdens Environmental Impact Statement claims people living in Lue will not be affected by dust. But these claims are based on insufficient data. The EIS was vague and unclear regarding dust transmission and community exposure.

There is no safe level of exposure to lead. And if this mine goes ahead, my child will be exposed to dangerous levels of lead. Lead is a neurotoxin that can stunt growth, lead to learning difficulties, behavioral problems and blood and gut issues. We have a large vegetable and fruit farm that we live from. If the mine goes ahead, will consuming our products still be safe? How about consuming eggs from chooks who's scratching lead dust daily? Like all houses in Lue, our water supply for household consumption is rainwater collected from our roof. What will we drink and use when this water in our tank is contaminated with lead?

Bowdens claim the dust won't carry and they will suppress the dust with water. However, there is not enough water to do this. The water supply is limited in Lawson Creek. We lived in Lue through the recent 2017 to 2020 drought, when Lawson Creek was dry and dust flew across from Western New South Wales to Lue and beyond. The New South Wales government DustWatch program research shows that dust storms are occurring more frequently. How will we be protected from contaminated dust when Bowdens mine high impact wind events were overlooked in the EIS. Furthermore, what provisions are in place to guarantee mine... and excuse me... mine, mine dust suppression beyond the 17-year Life of the mine?

My daughter starts school next year. How will I feel confident in her safety if Lue public school is two kilometers from the mine? Lead dust will contaminate the classrooms and playground. How will this be mitigated? Air conditioned, purified classrooms, schooling only in a fully enclosed classroom? This would go against New South Wales Education Department curriculum guidelines. Are teachers going to be wiping over every surface every day to provide a safe learning environment, environment? I'm a teacher, and I have worked through the COVID pandemic over the last few years when classrooms were promised air filters. No classroom I've worked in has an air filter, and we are advised to open the windows to maintain airflow to make classrooms safer. How will this be safe at Lue public school if the air is contaminated?

A further concern is noise and light pollution from the 24-hour operation of the mine. The tracking of mine deposits, dangerous chemicals and supplies, mine... and mine workers will lead to a- a significant increase in noise. Heavy vehicle traffic, noisy mine blasts and constant machine noise will have a major impact on our lifestyle. We will no longer be able to enjoy a quiet country existence. Constant noise raises stress levels and will consequently lead to mental health issues in the community.

My family loves the tranquility and beautiful countryside that is Lue. And as we are two kilometers from the mine site, I fear for the safety of my family, and there's no way we would want to stay in Lue if the mine goes ahead. But how will we sell our property? Property prices will fall if no one, no one will want to buy so close to a lead mine. Bowdens needs to agree to adequate compensate owners at current market values in Lue and surrounds for their losses in property values and livelihoods. Overall, this mine should never be allowed to proceed due to its proximity to the local community and the damage it will

cause. It is not in the public interest to destroy our community, prime agricultural land, and people's livelihoods.

Thank you for your time to speak.

Commissioner Duncan AM:

Thank you, Laura.

Dr. James Smith:

Thank you. Commissioners, our next speaker is joining us by telephone, uh, Philip Carkagis, C-A-R-K-A-G-I-S, and that's Philip with one L. Uh, sir, are you there on the phone?

Philip Carkagis:

Uh, yes, sir, I am.

Dr. James Smith:

Excellent.

Philip Carkagis:

Good afternoon.

Dr. James Smith:

Could you please... We can hear you clearly, if you could please now proceed.

Thank you.

Philip Carkagis:

Thank you. Uh, good afternoon, Mr. Chair and fellow Commissioners.

Thank you for the opportunity to speak today. My name is Phil Carkagis, and then my wife and I own East Ridge, a property just under three kilometers from the proposed mine site. I am firmly against the establishment of the mine for a number of reasons. Bowdens Silver may give the community comforting words of encouragement about the safety of their intended operation, but Australian history demonstrates that companies do not fulfill their obligations and local communities and the environment suffer irreversible damage. Environmentally, establishment of the mine will have long-lasting and far-reaching effects from heavy metal and toxic chemical contamination of the soil at the mine site, and possible leaching and pollution of Lawson's Creek from Lue to Mudgee and beyond, if the tailings dam were to ever fail or leak. Again historical evidence of tailings dam failures from uranium mines in Australia's north to copper mines in the south show irreversible contamination of the environment.

Bowdens Silver proposal is for the establishment of a lead mine. There is always dust produced from mining operations, and I do not believe that the water supply will be sufficient to prevent dust from the site containing lead and other heavy metals contaminating the surrounding farmland. Studies done a number of years ago on wind strength and direction were flawed as the time period was not truly representative of the prevailing weather. As an olive grower, my business will be destroyed by any contamination of the soil or fruit by any heavy metals. Our award-winning grove, which we established 20 years ago, will be worthless, as there is no provision for any... oh, sorry, no provision in any Australian or international standard for olives or olive oil to contain heavy metals.

Similarly, our domestic tank water supply will be contaminated and undrinkable. The problem of contamination will affect all the surrounding landholders and the residents have Lue. Volumes of groundwater taken for mining operations will deplete the current supply and will have an adverse impact on local bores leading to reduced flows or drying of the bores.

Noise and light pollution is also an issue with, with the proposed 24/7 operation. Despite assurances that the noise level will be reduced during some night hours, the resulting noise will be clearly carried by the wind and heard for kilometers around the area, resulting in a significant degradation in quality of life for residents.

The roads around Lue will carry significantly increased volumes of heavy traffic. These are narrow rural roads. They have poor alignment in places, they have rough and broken surfaces, and they have narrow bridges. An increase in heavy vehicle traffic will cause a very noticeable reduction in road safety leading to an increased risk of major accidents and loss of life.

Finally, Mudgee and the surrounding area is, without doubt, a premier tourist destination. And the tourist trail between Rylstone and Mudgee via Lue is well traveled every weekend. Establishing of an open cut mine, as witnessed at Wollar and Ulan, is anything but attractive, and it's something that many visitors would prefer not to see. The estimated benefit to the local community of establishing a mine is far less than the loss of income to the area if visitor numbers are reduced.

I believe that Bowdens Silver proposal should not be approved. Thank you again for your opportunity to speak today.

Commissioner Duncan AM:

Thank you, Philip.

Dr. James Smith:

Uh, thank you. Commissioners, our next speaker which I call is Matthew Butterworth. Mr. Butterworth, if you could please come forward to the podium to present, uh, your submission. For the transcript, Butterworth, B-U-T-T-E-R-W-O-R-T-H.

Matthew Butterworth:

Good afternoon, Commissioners. My name is Matthew Butterworth, and I've been working for Bowdens Silver for the last 16 months as an environmental officer. I'm therefore, obviously, in favor of this project being approved. My entire career has been spent in the environmental field. Prior to moving to Mudgee five years ago, I worked in the Hunter Valley as an environmental contractor, and worked on many of the coal mines in that region. I've seen firsthand the good work mines can do rehabilitating land.

Mangoola Coal is an example that springs to mind. Its rehab is a contoured landscape, fitting in with the surrounding countryside. And carefully selected species mix of plants has created a stable ecology that is self-replicating for generations to come.

My role as an environmental employee with Bowdens is to ensure that we leave be- what, what we leave behind is contiguous with the surrounding landscape. This requires a forward-thinking mindset. And I believe the Bowdens Silver has that mindset.

As with all modern mining projects, there is an obligation to conduct assessments of all potential environmental impacts and monitor accordingly. This monitoring is already occurring, providing valuable baseline data, and will continue to occur throughout operations. This protects the community, the workers, and the environment from harm.

Personally, my family moved to this region because, like so many other people, my wife and I visited, we fell in love with all the things that Mudgee and the surrounds have to offer, and the opportunities we could see for our family. If this project is approved, this would mean that other families already living in the region will have greater opportunity to, to remain here with stable employment. It would offer young people the chance to gain skills in the industry, stay in the region, and gain apprenticeships, and new families, the opportunity to move to an area to have their piece of the lifestyle in the Midwest. It'd be a shame if we kept that all to ourselves.

This project offers the possibility for the region to diversify. When coal mines finish, perhaps over the next decade or so, what will be there to offer employment for those workers this project will only go so far to fill that void? Will tourism in the agricultural industry employ these people that need to feed their families and pay mortgages? Can they offer the same security as the jobs these people currently have? This is a very real situation that faces our region.

If families are forced to leave due to a lack of employment, surely then small businesses also suffer. We've already seen the effects of shutting down facilities in our region, the stagnation of towns due to a lack of employment opportunities. This project goes some of the way to helping reinvigorate and diversify towns like Lue, Kandos, and Rylstone, and help maintain the economy.

From an environmental point of view, silver is a commodity that we need to help as we transition to a greener future. As the world moves away from fossil fuels, moves towards renewable energy, we are placed to take advantage of a unique opportunity, as the demand for silver will surely grow over the next decade. If we truly have an environmental conscience, then surely we need... surely the need for these materials becomes obvious. Your phones, your laptops, your solar panels, filtration, and medical technology all have silver in them as a vital component.

As development progresses, more people were being employed by Bowdens Silver. And as such, the place of the company in the community will increase. This is why Bowdens employs a community liaison officer and has a community consultative committee. This allows the community to voice concerns and ask questions, and for Bowdens Silver to listen and act.

Ultimately, if approved, I can only see that the relationships between Bowdens and the community will continue to grow. This can only be advantageous to all involved.

The team of Bowdens lives here. We work here. We have our families here. And we are all part of this community.

I'd like to thank you all for listening, and providing me of the opportunity to speak.

Commissioner Duncan AM:

Thank you, Matthew.

Matthew, we've got a question before you go. Sorry.

Dr. James Smith:

Uh, could you come back to the podium-

Commissioner Duncan AM:

Sorry about that.

Dr. James Smith:

Just a matter of clarification. Uh, um, are you presenting on your own behalf or you're presenting on behalf of...?

Matthew Butterworth:

I'm presenting my own behalf.

Dr. James Smith:

All right. Thank you very much.

Commissioner Duncan AM:

Thanks, Matthew.

Well, that, um, that brings us to the end of the speakers for the morning session, morning and early afternoon. We're, we're running ahead of time, so we'll come back at the, at the due time at two o'clock. That gives you a better one-hour break.

Thank you.

Dr. James Smith:

Uh, welcome. Welcome back, everybody. Our f- first speaker after lunch is, uh, Carolyn Barlow who's joining us by telephone.

Live? Excellent. Even better. Thank you.

Uh, Barlow, B-A-R-L-O-W for the transcript. If you could please come forward to the podium and provide your submission. Thank you.

Carolyn Barlow:

Yeah. Yeah, that should do me. Yeah. Okay. Thank you for having me here. My talk is about acid mine drainage because I believe it's the biggest reason that Bowdens Mine must not be approved. But like Dr Haydn Washington, an esteemed science academic, science write & long time resident of Rylstone wrote two submissions on Bowdens Mine proposal last year. As a metallurgist with the CSIRO, Haydn had investigated acid mine drainage at both historic and currently operating mines. He said that this mine must not go ahead because Bowdens had not acknowledged the potential risk of acid mine drainage, nevertheless, it was recommended. This is not surprising. In Bowdens environmental impact statement, there's a mind-boggling amount of technical information which distracts the reader, but curiously, there's no specific mention of acid mine drainage.

I'm a retired educator, President of the Rylstone District Environment Society and Representative of the Society on the Central West Environment Council. I also have children and grandchildren living in Mudgee and Rylstone. In the conversation on the 6th of September 2017, acid mine drainage was called the global environmental crisis you've never heard of. I'll be telling you a little bit about it and the potential danger for Lawson Creek in the community, then I'll show you how Bowdens' environmental impact statement has failed to acknowledge or address the potential risks.

Acid mine drainage is a worldwide problem where the sulfide bearing rocks are mined. When the rocks are exposed to air and water and naturally occurring bacteria, strong acid solutions formed and heavy metals dissolve in the groundwater and move into the nearby creeks. Creeks become lifeless often foul smelling, pinkish green or even orange drains. Some heavy metals such as cadmium can easily remain in

solution more than 20 kilometers from their source. Others settle out sooner but can move in a flood and again dissolve in acid environment.

At Sunny Corner near Portland where silver ore was mined, there's still little biodiversity in the creek 22 kilometers from where it drains out of the mine. Acid mine drainage is still happening there even though mining ceased a hundred years ago. At Captain Flat, near Braidwood, millions of dollars was spent on rehabilitation, yet acid mine drainage is still occurring.

You'll find little mention of acid mine drainage in Bowdens' environmental impact statement instead you'll find plenty of technical information, which leaves you with the impression that there's nothing to see here. It would be a miracle if this were true, Bowdens would be the only sulfide mining operation in the world with no significant acid mine drainage. And the sad thing is the environmental impacts usually do not show up for years, even decades after mines succe- ceases.

What's more? Acid mine drainage continues for 10s, hundreds or even thousands of years, as in Spain where silver was mined by the Romans about 2000 years ago. By the time our community is aware of acid mine drainage Bowdens would be long gone. Acid mine drainage causes heavy metal contamination of waterways and there's a long list of serious life-threatening human diseases in which heavy metal contamination is implicated.

If it happens, and it is likely it will, heavy metal contamination will severely impact the Lawson Creek area affecting native vegetation, irrigation, crops, and all animal life in the area including native animals, bees, cattle and humans who eat meat from the cattle. Mudgee's water supply may also be affected as Mudgee is barely 26 kilometers down strime- stream of the side.

Bowdens environmental impact statement has shortcoming, much of the rock excavated will be waste rock. This 54% will be potentially acid forming. Bowdens claim that leakage will be prevented because the potentially acid forming rock will be encapsulated by non-acid forming rock. However, over time, water can sip through rock into small underground channels.

A 2006 in Australian Government publication says that for encapsulation to be successful, even in the short term, very skillful and careful management is required. It is unlikely that Bowdens will successfully encapsulate all potentially acid-forming waste drop from more than 16 years, even if they did, would encapsulation still be effective decades later?

It also says that after over a 30-day period, acid water at the side returns to the same pH as soil treated with agricultural line, implying that because of this there will not be a problem. However, a researcher at Waterloo University in Canada stated acid mine drainage does not wait for 30 days, it begins immediately after rock exposure and only gradually decreases. Will Bowdens encapsulate all waste drop immediately? I doubt it.

Bowdens have avoided using terms like heavy metals or acid mine drainage, I wonder why. Could it be that these words alarm people? What they've given us is an environmental impact statement with hundreds of pages of technical information. However, if you look at it carefully, you'll see that the risks of acid mine drainage and heavy metal contamination are very high with this mine.

Thank you very much.

Dr. James Smith:

Thank you, Carolyn. Uh, commissioners, I call our next speaker, Grant Gjessing. G-J-E-S-S-I-N-G. If he could please to provide his presentation.

Grant Gjessing:

You're gonna make me sweat more now. Good afternoon, commissioners. I'm Grant Gjessing. I'm here to endorse my support for the Bowdens Silver project. I'm a local-born and raised here. I'm the Managing Director of Strait Up Cranes & Rigging. I'm very proud and lucky to have built the best little crane company in the region. I have my family here in Mudgee, my wife, my son. We own a small 65 acre farm at Spring Flat, five minutes from town. My son is 11 and attending St. Matthews here in Mudgee.

I've been involved with mining for 14 years. I've bought into my company. I've bought into Strait Up 10 years ago. I developed it from a three-crane six-person operation into a six-crane 16 person operation that it is currently today.

Ways the company have grown to accommodate the growth of the local coal mine sector. We consider ourselves to be a good local company with strong local ties, supporting other local businesses, Ford, Toyota, Double R, cleaners, builders, electrician, plumbers. We help stimulate our own little economy. We at Strait Up support local charities and sporting groups, Mudgee Junior Rugby League, Mudgee Touch Football, Coolah Junior Sports Club, Donnie Doo Rhinos Netball, Donnie Doo Touch, Pink Up Mudgee, Gogon- Galgon Showgirl, Indigenous Manor Junior Rugby League, to name just some.

I, and we as a company make ourselves available and support charitable needs throughout our community. The companies we engage by, who, who we are engaged by have work in contracts with other three local mines, Moorlaben, Glencore, and Wilpinjong. We consider these mines to be good, corporate citizens and honorable to us and our local community.

Strait Up as a business can see the benefits of mining to our local community. We will grow as a locally involved company as the mines and other projects arise in our district. We also diversify into the renewables energy sector. I do these job for workers. It's not a big paying job, we don't make a hell of a lot of money. They are the backbone of my company, and in return, they become part of the fabric of our local community. Bowdens when operational will support local jobs for up to two- up to 20 years. Bowdens will also stimulate our local economy with some solid local expenditure. Noise and dust control is regulated by the mining regulator. It is already tough on the mines we are engage at. Australian mines are very heavily regulated and monitored to ensure compliance.

I trust our regulator to be a due diligent body governing the activities of Bowdens when operational as it does with their other local mines. I trust the pers- the restrictive measures in place to appease Bowdens developing application will suffice to allow this mine to operate in a trusting and legal manner.

Grant Gjessing:

...This mine to operate in a trusting and legal manner. I expect with their reputation on the line, also, that they, too, will continue to be exceptional community supporters. I, and many other local service companies, would like to see the mine approved and wish them well into the future. Thank you very much.

Commissioner Duncan:

Thank you, Grant.

Dr. James Smith:

Uh, commissioners, I call the next speaker, which is Susanna... Sorry. Bronwyn, uh, Wannan. W-A-N-N-A-N.

Bronwyn Wannan (:

All right.

Dr. James Smith:

Yes. Thank, thank you.

Bronwyn Wannan (:

Good afternoon, commissioners. Thanks for having me today. Um, could I have slide one, please? I've sent in some slides and if I have time I'll discuss them, but if not, they're really self-explanatory. Uh, slide two, please. My name is Bronwyn Wannan, and I and my family are property owners at Lue. The closest part of which is one kilometer from the southwestern boundary of the mine site, and at the village, we are one and a half kilometers from the southern boundary of the mine site. Our property has two main homesteads and a number of cottages. That's it, thank you. I have some knowledge of water, having developed the Cudgegong Irrigation Association, which has 30 member properties, all of whom have access to reliable, regulated, licensed river water from a 30 kilometer pipeline. In stark contrast to the Bowdens project. Earth Systems' technical memorandum stated that there was a significant risk of water supply shortfall for the project, which will result in insufficient water at times. RW Corkery & Co respond to this significant risk of mine water supply shortfall and suspect modeling by saying that Bowdens have weighed up the magnitude and the duration of the loss of production in deciding what is commercially sustainable for the project. Really? Where is the evidence of that, in relation to a state-significant development, and what did New South Wales DPE recommend the commission as the potential condition for approval, given the significant risk of water supply shortfall? The New South Wales DPE response was, "Based on the response provided by Bowdens, no condition was necessary." In other words, the New South Wales DPE concedes an answer from Bowdens, that in Bowdens' opinion the project will be commercially sustainable even though the enterprise may have to be substantially reduced or closed down because of a lack of water, without any evidence to justify Bowdens' self-serving answer. If water is the lifeblood of any mine application, which I believe it is, then Bowdens' mine application is already on life support. The fact is, there is barely enough water at Lue, in the ground or in Lawsons Creek, to supply existing users. Bowdens, by not choosing to have a reliable supply of water from outside the Lawson Creek Valley, will take water from existing users in the Lawson Creek Valley. Almost certainly, Bowdens' mine activities will adversely and directly impact groundwater, surface water, and/or tank water, of those in the Lawson Creek Valley as a result of mining operations.

If this application would be supported, I'm concerned that conditions B-38 to B-44 regarding compensatory water supply, which are designed to protect land owners, are unworkable. How can Bowdens provide an alternative, long term supply of water to affected landowners when it has insufficient water and an unreliable water supply itself? They can't. Also, if groundwater or surface water is compromised, then the provision of clean water by some other means cannot remedy the fact that the property has contaminated groundwater or surface water, and the resultant impact on its value when it can never be used for the same purpose in the future. For these reasons, clause B-42 should be amended so that if the applicant is unable to provide an alternative supply of water, then, at the option of the landowner, the applicant must provide compensation to the landowner to the satisfaction of the landowner, or acquire the landowner's land under the Voluntary Land Acquisition Rights policy.

The DPE states that mitigation, mitigation measures adopted by Bowdens... Got a bit to go, are consistent with industry best practice to reduce the impact as far as practicable. Mitigation, however, is not enough. Prohibition or refusal is the only real answer to this application. What company in 2020 fee, three, would provide dubious expert reports in favor of its application and have its consultants modeling

in conclusions labeled by New South Wales DPE experts as inadequate, optimistic, biased, and not consistent with best practice? And this project will not be rehabilitated. That is certainly not best practice, and as for the economic benefits of Bowdens' mine, the CIE report seems as baffled about the economics of the project as everyone else. The wages don't benefit... Provide any benefit, the royalties are between \$23.6 million and \$19.7 million, over how many years? Is the New South Wales government or the... Just half a page left. Thank you. Is the New South Wales government or the commission, as the consent authority, prepared to risk the livelihoods, the homes, the environments, food production, businesses and tourism in the mid-western region for around \$1 million a year, when considering a half-baked development application with significant deficiencies?

Not all mining is bad, but this application and the proposed mine are unbelievable. I, and many others, are hopeful and expect the commission will recognize that this application is not worthy of approval and should be refused. Thank you.

Commissioner Duncan:

Thank you, Bronwyn.

Dr. James Smith:

Thank you. Yeah. Commissioners, I call our next speaker which is Lyn Coombe. Lyn? For the transcript, C-O-O-M-B-E. If you could please come up. Thank you.

Lyn Coombe:

Afternoon, all. I have been a resident of Lue for 30 years. My property is one of the closest to the project. I'm, I remain strongly opposed to this development due to the negative effect on my property, my community, and the environment. On my property, I grow lavender and rosemary which I distill for oil and I am able to market this as an organic product. The EIS amendments and DPE assessment have not eased my concerns due to the conflicting information within each of these documents, lack of management plans and terminology used, e.g, "Not likely to have a big impact," or, "It is not expected." I acknowledge the need to move away from energy from carbon gas, but in our rush, great precaution has to be taken on what sites are chosen for mining. We cannot continue to have the demise of communities and environment that we have seen in coal mining. The project is not ecologically sustainable development. Despite proposed mitigation and offsetting, an irreversible loss of biological diversity and ecological integrity will occur. The precautionary principle and the principle of intergenerational equity- equity of the Environmental Planning and Assessment Act will not be met, nor does this project fit the criteria for public interest.

The DPE states this is an ideal green-fueled site. This is not the case. This site is two to three K's from Lue Village. There are many examples of the demise of communities in close proximity to mines, and yet it continues to happen. Locally, we have seen the demise of Wollar, Ulan, and Cumbo Valley due to mining. Wollar, once a vibrant community, is now in name only. Noise, dust, air, light pollution, traffic, water security, these all take their tolls on communities and we have heard about these aspects today and yesterday. The high percentage of PAF rock gives high chance of AMD. Both New South Wales and the federal governments acknowledge the species extinction crisis. Land clearing is the greatest cause of species extinction, and 95% of government land has been removed from the Central West. This is one of the rarest ecological communities in Australia. It takes hundreds of years for native vegetation to regenerate. Studies have shown a rich diversity of flora and fauna with threatened and endangered species, with Lue also being a key koala area. Um, regeneration of this site will be very difficult, especially to establish an understory.

My own tree-planting experience on my property has been, has seen substantial losses due to drought and windstorms. The risks of that are well-known and well documented here. There is the potential of water contaminants from the tailings dam, waste-rock emplacement, and the pit entering into cree-creek system into Lawson Creek and Cudgegong and Macquarie rivers. The project will threaten our vibrant agricultural and tourism industries. There is sufficient, insufficient water for this project to coexist with the environment and community. If we don't have a healthy environment and community, then we don't have a healthy economy. Any risk is too high. Um, I ask for this project to be refused. The conditions of consent are generic, and there is a need to increase the accountability, because as they stand, they are some consequences... There are no consequences for exceedances, e.g, of noise or dust. Only monitoring and some mitigation. This is not sufficient. Thank you.

Commissioner Duncan:

Thank you, Lyn.

Dr. James Smith:

Uh, commissioners, I call our next speaker, which is Jamie Inglis. Uh, so if you could come. For the transcript, I-N-G-L-I-S.

Jamie Inglis:

Thank you. Good afternoon, commissioners. My name is Jamie Inglis. I live five kilometers downstream with, from the proposed mine, with my wife Sarah, and son, Richard. Our property fronts Lawson Creek, and we have a cattle breeding operation, and I'm also involved in my family business of marketing Broadacre Farms up and down the eastern seaboard. I strongly oppose this mine. The department has made the recommendation to proceed with this mine by ignoring the advice of many of their own experts. Lawson Creek is the lifeblood of our property. During dry times, we rely on it totally for stock and domestic water. Water from the creek was our savior during the last drought. Without it, we would have had to totally de-stock. During the drought, Lawson Creek didn't run for about two years. It just, uh, remained in holes. In life, we learn to manage risk. We often discuss risk management, and this was mentioned many times yesterday. Bowdens does not have a risk policy. If they did, they'd have a second tailings dam. Bowdens' tailing dam is on a geographical fault-line, believe it or not.

And as we heard from Chris Pavich, this makes the site more unstable. Therefore, as a condition of consent, Bowdens must construct a second tailings dam. This mine has been designed to manage up to 250 mills of rain in a 72 hour period, yet an isolated storm in the Lue Valley of 220 mills... I'll go slowly. This is important. 220 mills in nine hours on Rylstone Show weekend in 2003. This event was the biggest flood in Lawson Creek in living memory, and people here will remember that flood. We had an enormous flood in October, the recent October. This flood in 2003 was bigger. When a storm of this magnitude happens again, the tailings dam will overflow, and it will happen. Make no mistake. You cannot beat nature. You must work with nature. These so-called one-off storms will happen again. They'll happen next year, they'll be five years, 10 years, 50 years. As we know, the tailings dam is there forever. And when they do hit down Lawson Creek into the Cudgegong River. Last week, I spoke to an ex-Kings Gate executive, a man I've known some time. I said to him, "What were your major concerns when planning the development of this mine?"

He said there were two, water and power. I said, "Do you know the IPC is coming to Mudgee next week?" He said, "No, I don't. I've lost interest in it. I don't follow it at all." But he said, "By the way, where are they getting their water?" I said, "They're harvesting it on-site." And he said, "I find that hard to believe." Quoted verbatim. Bowdens say they have enough water in Lawson Creek, yet we heard

yesterday from several experts who, who questioned this. To repeat what Shereen Bagley said yesterday, "Importantly, if Bowdens is allowed to proceed, 480% more rainfall and runoff will be lost than assessed by the department." Clear water harvesting is also lost to the catchment, and Shereen's analyst confirmed that Bowdens intend to harvest more than twice, twice their clear water entitled to. Bowdens have had seven years to answer the questions put to SEARs, but Shereen made it clear, the most important ones remain unanswered or, and uncertain. She said, "There is no water quality model. There is no water management plan, uh, with appropriate triggers for action. Most uncertainties remain around final v- void water flow-through, and the conse- consequences for a contaminated Lawson Creek Valley surface and ground." Importantly, the department's own water expert, Earth Systems, has similar reservations.

This shouldn't be referred to as to the conditions of consent as part of the approval process. It is vital these questions be fully answered before approval, approving this mine. The DPE's assessment... In the DPE's assessment, they recognized that all those who live around Lue will suffer negative impacts from mining. The government is asking the residents of Lue to sacrifice their wellbeing for the greater good. Because of this sacrifice, the residents should be able to exit, if so desired, as a condition of consent via voluntary acquisition of all properties affected. We had been told that 200 to 700 liters per day of polluted, toxic waste will seep into the aquifer. This is outrageous. How will that be monitored? Again, it's a disgrace, as the aquifer will remain polluted for the rest of life and then will seep into Lawson Creek. Another fact is, as we know, that the Box Gum grassy woodlands exist there. The Australian government estimated that as little as 0.1% of the original White Box grassy woodlands exist in pristine or near-pristine conditions, and those examples are noted as being extremely rare and usually small in size. So here we go agai- here we go again. Koalas are gone. Aboriginal artifacts have gone. The aquifer will be polluted. The tailings dam will overflow. It will pollute. You can't beat nature and the fact that acid mine drainage will occur.

Since 1960, 1,960 tailings dams around the world have failed. 33 a week. It's on the website. Every, every tailings dam is listed, and they're not in third-world countries. USA, Canada, Sweden, Spain, Australia. Very sobering numbers. Commissioners, the DPE has let us down. The government has let us down. We should not be here. You heard, you heard yesterday, LAG experts, ex- explain how the DPE took no notice of their own experts. The DPE's experts were scathing with their report that was delivered by Michael White. If one hires an expert for an opinion, they should be responsible enough to act on that advice. So moving forward, when making your decision, the rep- the proponent doesn't have any confidence... I have no confidence in them whatsoever. Their initial EIS, they had a pipeline to, to Ulan, then sometime later, they scrapped that. We waited a bit longer. They have another amendment. They're going to move the power line. To me, that all looks second-rate. It looks inefficient. So if this job goes ahead, it'll be their first crack at mining. So the residents of Lue, and Mudgee region, are the guinea pigs. If Bowdens gets the go-ahead, heavens help us.

Can I leave you with two questions, please? Firstly, does the proponent fill you full of confidence, and have they the expertise and experience to handle a difficult and sensitive mine? Second question, will you be bringing your families to live in, to st- have a stay in Lue once the mine is in construction? Please, don't answer those questions. I know the answer. Thank you very much.

Commissioner Duncan:

Thank you, Jamie.

Dr. James Smith:

Uh, commissioners, I call our next speaker, Mathew Gouldstone. Mathew? Uh, for the transcript, G-O-U-L-D-S-T-O-N-E. Thank you, sir. If you could come to the podium and provide your submission.

Mathew Gouldstone:

Good afternoon, commissioners, and thank you for affording me the opportunity to speak. I'd like to also say good afternoon, and thank you to everybody else speaking here today, and also to all of you for listening. As one of the speakers said this morning, it's very important that we have this process and that we are able to stand up and speak in front of our people. I'm here today to speak in support of the Bowdens Silver project. This may not come as a surprise as I obviously work at Bowdens, however, I'm here speaking on my own behalf. I support this project regardless of the fact that I work there, and I truly believe the benefits of this project will be felt locally, nationally, and to an extent, internationally, as we transition to a greener global economy. There are two main drivers for me to support this project. Obviously, Bowdens provides me with work and a paycheck. However, I support the project regardless, and the greatest benefit I get from my work as an exploration geologist at Bowdens is the ability to do a job I love, which is exploring for a commodity of the future, and still be home every night with my young family.

This has not always been the case for me. Prior to working at Bowdens, I had spent the vast majority of my professional life, 10 plus years, living away from home as a FIFO and DIDO worker. Whilst I gained great satisfaction from this work away, I enjoyed the high pace and high intensity of this, there was also stress like any other job. These stressors, though, were often exacerbated by the distance between myself and my wife, and later, my kids, my family. The negative impacts of FIFO and DIDO work are well-documented by organizations such as the Cope Center, Mates in Mining, and Beyond Blue. I'd be happy to provide links to these if required, afterwards. Working at Bowdens Silver has enabled me to be home every night, join the rural fire service, see my wife and kids on their birthdays, takes my kid to sport, and obviously, to a café for a hot choc-y and a donut and whatnot, afterwards.

I experienced all of these positive social impacts from working near my home first-hand. These impacts are already being realized by local people working in the local coal mines. However, this will not always be the case and it is scheduled to change during the next decade, which is related to my next point. The second driver for me to support the project is that I want to be a contributor to the inevitable transition to a greener global economy. As seen in the Department of Primary Industries' assessment report, the New South Wales state government has identified silver and zinc as metals which are significant to technological advancement.

The federal government has also stated that it wants to find a technological alternative to the burning of fossil fuels in its efforts to minimize the impact of human-induced climate change and achieve net-zero by 2050. In the mid-western region, we have three coal mines with approval to produce coal expiring in the 2030s, two of which are currently due to cease production in 2033. This means over 1,000 skilled miners, support and technical staff, are due to hang up their helmets in the mid-western region and start looking for work in the 2030s. Even in the event that extensions to coal production are approved and just one mine closes in this time, we are still looking at hundreds of people out of work. I would like to see as many of them as possible stay here to continue their careers in the mining industry. Staying in the mid-western region, staying with their partners and kids, staying with their families and their communities, instead of being forced to continue their careers as FIFO and DIDO workers.

By approving the Bowdens Silver project with appropriate conditions in place to ensure safe, effective, and responsible production, the mid-western region will be an active participant in the inevitable transition to a renewable economy. Our economy will be further diversified and better situated to handle the downturn in the coal mining industry. Our families will have more options to stay together.

Thanks again everybody for listening, all of you, and I look forward to being part of a prosperous future with you all. Thank you.

Commissioner Duncan:

Thank you, Mathew.

Dr. James Smith:

Uh, commissioners, I call our next speaker, Rodney Pryor. For the transcript, P-R-Y-O-R. If you could please come forward. Thank you.

Rodney Pryor:

Yeah. A bit closer. Yeah. I thank the commission for the opportunity to speak today. Um, I'm speaking strongly in objection to this proposal. Um, before coming here for the last two days, I was seriously alarmed. After what I've heard, particularly yesterday, I'm actually now horrified. I've been living in this area for now approximately 50 years. I moved in as a young teenager back in 1976, to the village of Wollar. I currently live in Mudgee, but I do have a land holding in Wollar. I have a young family and a vested interest in the future with three young children attending school. Um, I have seen how mines operated. I've watched the destruction of three villages in the last 20 to 25 years. I've seen the population of Ulan reduced, eliminated. I've seen the village of Wollar decimated even to the extent that houses today are still being removed. I've seen the village of Bylong reduced in population and the mine didn't get approved there, and it's still recovering. Mines clearly, and often, overstate the benefits of mining and understate the risks. It's the way they operate.

The loss of communities, um, will occur and it will occur at Lue. Now, I've, doc- I've mentioned that it's happened at those three villages, um, it's not in the interests of mines to have residents living close to mine sites. There's conditions in place for the way mines operate, and they're hard to live with. So, as residents, we tend to complain. This upsets the operation of the mine, and at times, it actually involves the imposition of a fine. So they don't like people living there. To say that they support communities is a nonsense. They don't. It's not in their interests. I have one question, though, um, and that relates to Bowdens itself, the proponent. I, and it's a rhetorical question. It doesn't need answering. I question why they've actually bought the pub. Pubs are the heart of a community, and I don't understand that. Um, Lue has actually been lucky. The pub at Wollar is gone. Peabody Mine is actually a Mormon-owned company and we've lost that facility forever.

There are so many issues about this project that worry me and are wrong. Um, other people have touched on them quite extensively with incredible detail and technical, um, data, and I'm, unfortunately, not that experienced or educated in that field. I'm speaking from the heart and, um, from my experience. I think that, um, some of the issues, particularly transport, hasn't been touched on enough. You guys, uh, went out to the Bowdens site along the Lue road, I believe, possibly Tuesday. You would've noticed that it's a narrow country road. It has many bends, it has narrow bridges, and along that road is not just going to be mine traffic, but the slurry of the, um, refined material, uh, in the double tanker. This is an accident waiting to happen. Its effect on the Lawson Creek, which follows that road for most of the way, would be catastrophic for the agricultural industries downstream.

Um, I would love to talk about Aboriginal heritage, but other people have covered that and I am not going to have time to go into it. I will touch briefly on just a couple of aspects of biodiversity. It is well-recognized that there is not type-for-type in offsets. Uh, we are g- going to have, uh, a major impact on the koala population. I wonder what's going to happen to those. We have, uh, peat bogs and upland marshes which are unique. There is no way to offset these with the drawdown of the water table. It just

will not happen. This mine is going to have a serious impact on the village of Lue as I have briefly touched on. Um, it's hard to live with the noise and the dust of mines, let alone the other impacts. Lue will become a ghost town. It's inevitable. It's hard to live with the pollution that will be involved with this mine as the dust accumulates in your rainwater tank, as the toxins build up in your soil of your veggie garden, and affecting the poultry. You wouldn't be able to eat an egg. It's that, that actual. Serious.

There'll be housing loss at a critical time in Mudgee's history. We have a housing crisis here, so you wouldn't be able to live in the houses of Lue. We would lose that.... there's been promotion of the jobs. Uh, this area actually has a fully employed workforce. There's over 200 jobs advertised without the vacancies being filled. Um, I'm not going to have time to get into everything, but there are serious concerns about the water and the drawdown... Drawdown of the water table. Um, there are serious concerns about cross-contamination between the pit and the aquifer. The tailings dam has been extensively talked about, the fact that it's an unproven design. Um, it is use... It, it's not even taking EPA best practice, which states that there should be a one-meter clay liner. They're going to 450 millimeters. The free board on the mine, uh, on the tailings dam as it progresses in each three stages, it's only going to have a free board of 500 millimeters, half a meter. Uh, extreme weather events have been mentioned, but this tailings dam will overflow. It will contaminate Lawson Creek. It will affect the food production of this entire area.

Now, it doesn't end there. If I could have just a few m- more seconds. Um, this is just the tip of the iceberg. The proponent has said that they have done exploration, and the footprint of the mine will expand. Um, they've done exploration to another valley 10 kilometers to the north in the place of Botobolar, and it replicates, basically, the exact same problems that we had with this proposal. Um, Pipeclay Creek runs downstream into the intensive agriculture areas of Mudgee through the wine growing district. Downstream is high value, biophysical, strategic agricultural land. This is going to be severely impacted if this mine gets a foot in the door. Um, I thank the c- commissioners for their time. Um, just to finalize, I believe that, um, the proponent and the DPE have, uh, not done due diligence. I don't believe that the DPE has had a duty of care to the community of Lue, to the wider community, to the state, and certainly not to the environment. I strongly object this proposal.

Commissioner Duncan:

Thank you, Rodney.

Dr. James Smith:

Thank you. Uh, commissioners, I call our next speaker, which is Jack White. W-H-I-T-E, for the transcript. Thank you, Jack. You can come up forward.

Jack White:

Good afternoon, commissioners, and thank you for your time here in Mudgee. My name is Jack White. I live with my wife, Susanna, and two children, halfway between Lue and Mudgee along the Lawson Creek, and together with my brother and his family, we run an An- Angus seed stock business. I have a design background as a graduate architect from the University of Sydney, but I also have an agricultural background now wor-

Jack White:

... the University of Sydney, but I also have an agricultural background, now working in animal production and genetics. Over the last few years we've been able to grow our business. We have clientele now that range from north Queensland to the southern tip of Victoria. Our product has b- been

recognized in the marketplace. In 2020, our bull sale result placed us in the top 10 sale averages in the country.

And last year, we achieved the highest prize for an Angus performance registered bull in Australian history. My key concerns regarding the Bowdens project are around the quantity and quality of our stock and domestic water, as well as longterm contamination risks of the project to our product. I wanna touch on a couple of aspects of the assessment report and how they relate to intergenerational equity. In October 2022, the Lawson Creek was hit with a prolonged rain event, punctuated by heavy falls, which saw an enormous amount of water coming down the valley. Some say it was the highest flood in a long, long time. Now, I understand that this type of anecdotal evidence is not overly meaningful to the panel.

However, as part of its overarching design theme, the DPE assessment report claims to use precautionary principle, stating it has assessed the project's threats of serious or irreversible environmental damage using reasonable worst case scenarios. This is challenging for two reasons. Firstly, that averaged data has been used for all modeled outcomes of the project, and secondly that locals have experienced extreme and isolated weather events, or outliers which are not identified using averages. Commissioners, as you are aware, in your meeting with the DPE, you raised the issue of PMP, or probable maximum pre- precipitation events. To which they responded, "Yes, they are extreme and infrequent events, but no, there's not a lot of consideration of those in the design." It is hard to say how this is precautionary, and it made me look a little bit harder into the DPE's assessment, particularly on flooding. Now whilst they've claimed to have worked closely with the experts, it is clear they have ignored some of their advice.

This is frustrating to me, as during my studies and in professional practice, peer review and critique always optimized design. Earth Systems stated, "It is conceivable that flood waters could come into contact with PIF material at the base of the waste rock dump. Given the potential physical stability and water quality implications, flood protection for permanent land forms should be based on PMP design. The potential for erosion of the waste rock dump was considered, but implications for flood water quality were not specifically discussed. Yesterday, Bowdens explained how the waste rock dump would be constructed over multiple cells, in two meter lifts, track rolled to remove air and sealed with a plastic liner. The Lue Action Group mining expert then went onto highlight the extensive critical technical flaws in this design, which had already been flagged by Earth Systems.

Now, I'm no expert, but I assume in the magical land of shining silver and plastic tarps, that the laws of gravity may still apply. So, it would be reasonable to underestimate that over time, the acid in these cells may settle to the bottom and that erosion of the base of the waste dump by extreme flood events could be problematic. Bringing this all back to reality, it is clear that both the design and the location of the waste rock dump make it a serious liability. So, what could this toxic intergenerational legacy mean for primary producers along the Lawson Creek into the future? Who will be responsible for the maintenance to ensure its integrity? If it fails, who will clean it up? If it fails, will our water and our land be contaminated? When we can sign our cattle for sale, will we have to tick a box which says they carry chemical residue?

What will happen to the quality of our product and will we still achieve high market acceptance? Please do not cut off the future potential of our markets and our products. Please do not underestimate the potential of future generations to create valuing areas which have not previously been perceived valuable. In closing, I believe this project should be refused because it is contrary to the principles of ESD, namely intergenerational equity and the predicted economic benefits would accrue to the present generation, however the longterm environmental costs will be born by the future generations. Thank you.

Commissioner Duncan:

Thank you, Jack.

Dr. James Smith:

Commissioners, I call our next speaker, Phillip Morley. Mr. Morley, if you can come forward. Uh, is Mr. Morley here? Uh, we've got Anthony Callaghan listed next, um ... Great. Thank you.

Anthony Callaghan:

Good afternoon, Anthony Callaghan.

Dr. James Smith:

Thank you, sir, please proceed.

Anthony Callaghan:

Thank you, good afternoon, commissioners. Uh, so, my name's Anthony Callaghan, I'm a, um, resident in Mudgee, uh, local rate payer. Moved to the area in 2008. Uh, I was based at Capedi in the, uh, police station there, with my wife, and we had two kids, both born in Mudgee. We fell in love with the area, and we decided that we wanted to bring up a family and stay here for the rest of our days. I strongly support Bowdens mine in Lue. You've heard a lot of information over the last couple of days that probably could've been categorized into two hours. Everyone's talking about the water, the acid mine drainage, and it's almost as if Lue just don't wanna share the commodity that they've got there with the mine. The mine is state of the art, it's gonna go ahead, if not here, it'll go ahead elsewhere. Mining across the world for silver is- is going to happen, whether we like it or not, unfortunately. The silver and the lead is gonna be mined and Lue is in the cars that they drive, it's in the tractors that they drive, it's in the mobile phones that they use, it's in their everyday life. They just don't wanna let it be mined but they're happy to use it. I've worked in a coal industry for the last 10 years in the Mudgee area, and I saw firsthand that the coal mining industry does support the town, whether people wanna believe it or not. There's three companies there- there, that run five mines, and the amount of money that the miners get paid, the amount of money that the miners spend in the town is astronomical.

And with the coal mines going, Mudgee won't have anything left except for the tourism. And I don't think that the tourism's sustainable. It can't continue to prop Mudgee up for the rest of its day with no coal mines, no silver mines or nothing here else apart from a couple of vineyards and a couple of boutique shops on the main street. When I was in the police at Capedi, I saw firsthand in, um, Portland and also in Kandos, what happens to those towns when big industries leave. Kandos, I encourage you to drive there on the way home back to Sydney, you'll see a number of shops that are shut down, and a town that got decimated when the cement works closed, yeah. The same as in Portland when that cement works closed down as well. So, again, what's gonna happen to Mudgee when the coal mines close down? Mudgee would just spiral into a decline. Anyway, I won't bore you with anymore of my preference or my information, and I just thank you for your time.

Commissioner Duncan:

Thank you. Thank you, Anthony.

Dr. James Smith:

Uh, our last speaker before taking a break is, um, Bruce Christie. Is Mr. Christie here? Hm. All right. Thank you. Um, otherwise Phil Morley? Yes, uh. Uh, we're- we're running slightly in front of time. Um, if some of the speakers that were listed for the afternoon, um, session are here now, we might call Rosemary Hadaway, uh ... No? Um, but if there's a- if there's anyone who's listed in the afternoon session that would like to come forward now and speak, yes? If you could please come forward.

Yes. Oh, I, actually, I think we've got you-

Indeed, thank you.

I think it's ... Madam, if you could just state your full name and- and then we'll take your submission.

Jolieske Lips:

Yeah. Um, I'll just get the right submission out. (laughs) Okay, uh, my name is Jolieske Lips, and I'm speaking on behalf of Running Stream Water Users Association. So, thank you for the opportunity to speak to this meeting. We acknowledged the Wiradjuri nation as the traditional earners and custodians of the land on which we are meeting today, and pay our respects to elders past, present and emerging. Running Stream Water Users Association was formed 32 years ago, to protect our precious water resource from the threat of coal mining, and to ensure water is still there for future generations. Our slogan is, "Coal for a decade or water for life?" Water sustaining life and water available into the future. Here with the Bowdens proposal, the slogan would be, "Lead, zinc and silver for 16 years or water for life."

Over the decades our association, uh, has observed many wa- mine approvals. And what we have learned is that the magic mantra of jobs are never as many as predicted, outweighs expert opinion and protection of water resources for the benefit of future generations is not given the preeminence it should must have. We're not able to offer additional facts, and we have limited expertise to wade through all the information presented, but we are able to reach some conclusions. The key one being, there is not enough water for this mine. Bowdens knew this from the beginning, hence the original half baked plan to get water from Ulan mine. When this proved problematical, they somehow managed to find enough water on site.

Ground water modeling is difficult, and we have little confidence in it. And this is based on our experience with the three Mudgee coal mines, Ulan, Moolarben and Wilpinjong. In each case, the water mole- modeling proved incorrect, and once mi- mining started, adjustments had to be made. So, why should we have any confidence in Bowdens projections that they can now find enough water to safely operate this mine? Especially when it has been demonstrated they are using flawed, incorrect data. Models at best are an approximate representation of reality, and they are only as good as the data input. Data is massaged to, massaged to present a story that makes the mine appear viable.

Once the mine is approved, they then deal with the problem. I read Bowdens have something like best case scenario of 85% certainty of having enough water, and worst case 63%. So, when they discover they do not have enough water, what will they do? Revive the idea of getting water from Ulan? Stop mining 30% of the time? Unlikely. Take more than they are licensed to do? Probable. And this assertion is based on community experience that mines at times fail to meet their conditions. It is only by luck and vigilance by members of the community that breaches a report, and a quick example Moolarben vegetation clearing and excess water discharge.

We apologize for the anecdotal evidence, but frankly, we don't have the energy or the considerable time necessary to collate and document properly this anecdotal evidence. Hm, we cannot stress enough this issue of water. Australia is a dry continent. Variability and uncertainty are increasing because of climate change. It is unconscionable that a mine could be allowed to reduce inflows to Lawsons Creek by 10.9%.

Such a loss of water availability is not a negligible impact on downstream users as Bowdens observed. Any loss of water in dry times is critical. There is also the very serious issue, uh, issue of probable contamination of both surface and groundwater, with huge impacts all the way down the system. We will leave it to the experts to present the case regarding acid mine drainage.

But the questions have to be asked. Who will be res- held responsible for the problem? The individuals in the department or you guys who gave the permission to go ahead? And then who pays for the rectification? The mine will have closed and the company will be long gone, so it will be future generations who are left to deal with the problem and pay the cost. This is unacceptable. This mine cannot be given permission to operate where this is still totally inadequate plans regarding these water issues. To make these plans a condition of approval, as DP has suggested, is unacceptable. Who reviews these plans and judges them adequate?

These plans with valid, robust and technically proven solutions should've been presented as part of the EIS, where they are given public scrutiny and some kind of peer review. Not simply tick the box verification by department employee, who has a vested interest in not rocking the boat, given the current government's emphasis on mineral development. These plans must be publicly presented and independently verified as adequate before any approval is granted. Another bare minimum requirement for approval would be a properly funded, by the company, rehabilitation fund, plus 100% increase in royalties, with that increased revenue quarantined into the rehabilitation fund.

In conclusion, the bottom line is the mine should not go ahead. And I just personally want to say, you have a lot (laughs) of responsibility on your shoulders and we're well aware of how every time a commission gives a negative answer, we see some activity in the legislation.

Dr. James Smith:

Thank you, uh ...

Dr. James Smith:

All right. Uh- uh, thank you everyone, we- we have about 15 people registered to speak, um, this afternoon after the break. We're running about 30 minutes, uh, in front of time, if there's anyone registered this afternoon that is able to present now, if you could show your hands and we'll take your submission. Otherwise, we'll take an adjournment until, um, 3:28. Just a show of ha- ... Anyone? Yes, thank you, um, the lady in the green shirt, thank you so much. Great, if you we could just have your full name for the transcript?

Patricia Kempton:

Yes, my name is Patricia Kempton.

Dr. James Smith:

Thank you. Yes, thank you.

Patricia Kempton:

Hello. As I said, my name's Patricia Kempton, I'm a local resident. My husband and I live seven kilometers east of Mudgee. We do not have access to town water, we rely upon rain water and water, a water license from the Lawson's Creek. I am a health worker, and I have been for 47 years. Country areas already experience stress and staff so- shortages in the health arena, in comparison to our city colleagues. Who will come and work in our community affected by lead? With the event of the

proposed mine and the associated risks from lead, crystalline silica, arsenic, and other toxins produced from the mine in process, there are health concerns for our public.

Emergency services and health workers will contact persons with injuries and accidents from the mine, potentiating contamination for those health workers and their families. New South Wales Health Safe Working- Work, New South Wales, estimates that one in 100 workers or persons exposed to crystalline silica will develop silicosis. This is scarring of the lungs, making it difficult for the lungs to take in oxygen. There is no cure. As a health worker, it is such a devastating episode to witness. This disease or condition may start after only weeks of exposure, it may take years. Starting off with a diagnosis of, "I think you have bronchitis," progressing to silicosis or lung cancer.

New South Wales 2021, 2022 Dust Disease Register reported 18 cases and 4 deaths due to silicosis. They still want to reduce this number. Conditions such as silicosis will place a greater burden on our already stressed health facility. Will employees have a standard chest X-ray and a respiratory function test prior to commencement of employment? And will this be an annual event? What about their families' health? Lead. Well, we've heard a lot about that. But public health states there is no safe levels of lead.

Australian work, health and safety laws state mandatory testing for lead blood levels starts when work is carried out in lead processing. Does this and will this include the community?

In Australia, work, health and standards are mandatory in all jurisdictions, legally enforceable and not qualified as by what is reasonably practicable. Pathology labs and doctors, by law, are to notify the Health Department if lead blood levels in adults are greater than 10 micrograms per deciliter, and in children greater than 5 micrograms per deciliter. These reportable levels require action. The mine report have stated that dust from the site will carry up to five to seven kilometers. Past weather events have seen and recorded dust particles from western New South Wales, covering areas of the greater Sydney catchment. These dust particles distributed some 300, plus, kilometers from the source, not five to seven kilometers, but 300 kilometers. Residents who live in an area of and up to 60 kilometers from the mine, who drink and bathe in rainwater collected from the roofs of their private dwellings will be subjected to contamination, with dust containing lead, silica and other toxins in their water. World Health Organization has recorded key factors, three health issues associated with exposure to these mentioned contaminants and toxins. Accidents. Will local emergency services, i.e. our local police force, ambulance and fire brigade, et cetera, be adequately equipped and informed to safeguard themselves and to mitigate issues associated with toxins, if and when there is a road traffic accident involving a loaded mining vehicle.

Helicopter retrievals at the site under dangerous, uh, are made dangerous due to the rotor blades, creating major disturbances, whipping up dusts and other toxins. Mining accidents will occur due to unintentional human error. Leakage of poisonous gases, water, explosion, dust, flooding, overflowing of tailing dams, mechanical errors, electrocutions and fires. What then? This is our community, we all know somebody who wants to work in a mine or does work in a mine. What health effects will any one of the potentials have on individuals, their families and our community? These effects may not be immediate, they may be years down the track. And what environmental impact will there be for the Mudgee community? Thank you for the opportunity to speak.

Commissioner Duncan:

Thank you, Patricia.

Dr. James Smith:

Thank you. Is there anyone else that would like to address the commission before the break? Just a show of hands. No? Otherwise has Phillip Morley, uh, returned? No. All right. Um, all right, well, thank you, everyone, we- we'll take a short adjournment, um, and we will reconvene at 3:28 PM for our next speaker. Thank you.

Dr. James Smith:

Thank you, everyone. Welcome back. And for the transcript, we have Rosemary Hadaway, H-A-D-A-W-A-Y, presenting to the commission, uh, after the afternoon adjournment.

Rosemary Hadaway:

Sound check.

(laughs)

Good afternoon, everyone. And thank you, commissioners, for this, for this opportunity. My name is Rosemary Hadaway, and I'm chair of the Mudgee District Environment Group. I'm speaking this afternoon on behalf of the group. And we, (laughs) surprise, strongly oppose this project.

Today, I will use an agency case study to illustrate that the DPE assessment process is flawed and the conditions of consent are inadequate.

Commissioners, you met with council on 2nd of February. And it's unfortunate that the mayor and general manager didn't actually discuss the full range of council concerns. In council submissions, the issues are clearly detailed, and the lack of response from the proponent is also clearly described. In the assessment report DPE states, paragraph 62, "Council recommended Bowdens prepare a range of management plans including for rehabilitation, the management of cyanide, a disaster management plan, and an accommodation of workforce strategy." But council also stated, "Details of a guaranteed water supply, multiple lines of defense for a potential incident occurring. There is insufficient detail. Risk assessments should be undertaken."

Our response to SEARs in 2016 pointed out that the project will require upgrades to local roads. And with regard to that last point, the assessment report focuses on Maloney's Road, but there is no assessment of road and traffic impacts for the B-double routes along Lue Road, Ulan Road, and through Mudgee Town. A (laughs) major omission.

So back, back to council's concerns, "Ongoing maintenance schedule of the mine site for the entire period, including a scenario where the company is dissolved, realtime monitoring of health issues, ensure the water supply and dust mitigation measures are sufficient," as we have heard from many. DPE was advised of council requirements in its initial advice, years ago. These matters are still unresolved. Why? This agency advice to the department has not been fulfilled. It's not due process, and we reject the DPE assessment process and their conclusions.

To confirm that agency case study I just related, we submit that DPE's stance on agency advice is inadequate. At paragraph 22, "Most agencies were not satisfied with the EIS, repeatedly asking for more detailed data and monitoring." And DPE indicates that the requirements have been included in the conditions of excen- of consent. Requesting management plans. Why were these plans not requested, received, peer reviewed, and critiqued prior to the recommendation for approval? DPE appears to be relying on these, as yet, unwritten plans to answer the concerns and criticisms of agencies.

DPE's stance on the advice of experts is inconsistent. DPE has claimed to accept and consider the advice of all experts. These authors have been heavily critical of the proponent's analysis of the issues. Lack of detail and evidence, outdated and insufficient data all give a picture of a chaotic project. But DPE has accepted the proponent's analysis.

With regard to water, DPE paragraph 198, "With the implementation of these and other measures, the department considers the project would result in acceptable impacts on water resources." In other words, the project, as it stands, would not meet acceptable levels of impact on water resources. The conditions of consent are not robust or sufficiently detailed. They are weak and, despite the complexity of the project, surprisingly generic. Conditions must set explicit standards on all parameters, measuring and monitoring, to be published in realtime.

The highly technical and specialized design of this project warrants more than mitigation and monitoring. There are no consequences for the proponent. How can that omission stand? If this project is approved, the conditions of consent must be strengthened greatly and hold the proponent to account.

Thank you for the opportunity to comment.

Commissioner Duncan:

Thank you, Rosemary.

Rosemary Hadaway:

Thank you... If I might suggest, commissioners, your task seems to me rather like an examining officer for a potential driver on our roads. You know the driver isn't experienced and regrettably, they will be in charge of an unroadworthy vehicle.

Dr. James Smith:

Uh, commissioners, next I call John Clark, C-L-A-R-K-E, for the transcript. Thank you, sir. If you could come up and provide your submission.

John Clarke:

Good afternoon, everybody. My name is John Clarke. I'm a member of Mudgee District Environment Group. I'm speaking on b- in opposition to the Bowdens Silver Project. I'd like to tell you, read you my story of living in a lead affected community, a place where heavy metal pollution is present in the air we breathe, ground under our feet, and the water we need.

Going back to February 1986. My wife and I moved from Sydney to Newcastle, where I was to commence studies at a local TAFE college. We had a rental cottage in the outer s- Newcastle suburb of Boolaroo at the northern end of Lake Macquarie. The cottage belonged to my wife's mum, who was in Sixth Street, Boolaroo.

Well, after moving in, I took my self f- for a walk around Boolaroo itself. Walking the streets, I noticed not a single person around. I was starting to wonder if I was in a ghost town. But I did see vehicles parked under shelter, and I heard the sounds of life. So I may- made my way down to First Street in Boolaroo. And opposite the street is a large industrial, or was a large industrial I- installation belonging to the Sulphide Corporation. I've been told it was where lead was smelted into zinc ingots. It was a major employer of local people. The air smelled pungent, but I couldn't ask anyone about it, because there was no one around to ask.

Well, I'd been living there a short while. I decided I really wanted to have a garden. So I started to dig, but my neighbor, Bruce, who was a Telstra employee, called me over and asked me what I was doing. When I told him, he looked surprised, and I heard him say, "Do you know that the ground here is contaminated with dust, lead dust, probably from the Sulphide?" I replied that I thought that being at Sixth Street was far enough away from the fallout zone. But his comments were, "Look, mate. To live as

safe as possible, it's best to keep indoors. Close your house, windows too, especially at night, 'cause that's when production mainly occurs because energy prices are at their lowest."

Now we needed, we needed to adjust. As we were on minimal rent, it seemed settled to stay put while saving for a deposit on a project, on a property of our own. Six months went by, and I noticed that the car that we owned, the paintwork was having difficulties, was having problems. It was a camper van with a two-toned paint job, and it wouldn't fit in the garage that was on the property, so it had to be left outside. The yellow c- It was a yellow vehicle with white trim, and I noticed that the paintwork was fading and there were blisters appearing. I got- I drove it down to a local repair shop, and they informed me it was probably sulfur fumes from the plant nearby. And they advised me, "If you're living in Boolaroo, the best place to park a car is under shelter." So I found myself having to buy cover for the car to keep, to keep it, yeah, further, from further damage.

If I go forward a bit to the summer of '86, '87, it was a very hot summer. We had to keep the house closed up, relying on pedestal fans. There was a s- there was no air conditioning in the house. Nights were particularly stressful, trying to sleep on hot linen with only moving air from the fans for cooling.

Outside at night, noise from the plant could be heard, and it was quite intense. Loud explosions followed by rumbling, hissing sounds, sirens blaring, and the noise of diesel trains pulling in and pulling out from the plant. And just above us, on the grasslands above the property, there was a monitoring station. And it was, used to beep at night on frequent occasions.

And of course, we couldn't help but notice this pungent smell of molten lead and sulfur fumes escaping from the plant, in spite of the inline air scrubbers and filters that were supposed to capture those airborne pollutants.

Black slabs, black slag heaps at the back of the plant gave off dust on windy days. We had to use the clothes dryer given to us. We couldn't peg washing out- outside. So that means staying put in the house and not having- not leaving unless we were using the car.

We rented two and a half years in this place before we could afford a deposit on a property purchase further down the lake, away from Boolaroo. So for us, it was goodbye, but for those living there with their lives affected by lead positions, bound up with families, friendships, and jobs, they were staying there with the legacy of heavy metal pollution.

So before I, before I wind up, I have just one question to ask. And that is, do we have confidence that Bowdens Silver Mining will be able to prevent heavy metal pollution of our air, ground and water?

Commissioner Duncan:

Thank you, John.

Dr. James Smith:

Yeah. Commissioners, I call the next speaker, which is Michael Southan. And for the transcript, S-O-U-T-H-A-N. If you could please come forward, thank you.

Michael Southan:

Thanks commissioners. While the, uh, slides come up, um, I'm, uh, an agricultural scientist with a PhD in, in, uh, agricultural chemistry and the CEO of the Australian Olive Association. The Australian olive industry produces about 20 million liters per year of mostly extra virgin olive oil, which is important. I'll come back to that. And about 3,000 tons of table olives, over about 33,000 hectares across the country. However, the imports are doubled that, with about 40 thou- 40 million liters, mostly from Spain, and

about 17,000 tons of table olives, mostly from Greece. And the average annual capita consumption of extra virgin olive oil is about two and a, 2.4 liters and about .8 kilograms of table olives.

Australia has an ultra premium position for our extra virgin olive oil. Important also, olive trees are carbon sequestering. And it's one of the few agricultural and food industries which is carbon positive from production through to the food product.

On the next slide, you'll see that extra virgin olive oil is the juice of the olive. It's been well documented for underpinning the health benefits of the mediterranean diet. And the quality of extra virgin olive oil is paramount and directly related to its health benefits. And it is the only food, and I'll repeat, the only food that has an Australian standard.

On the next slide, you can see this map just shows the distribution of olive production across the country. And then the next slide shows the Mid-Western Regional Local Government Area, where there's about 336 hectares of olives, which equates to about 44,400 olive trees. And you can see the circle to the right of the arrowhead, uh, represents one of the groves which has won not only national but international awards for it's high quality extra virgin olive oil.

On the next slide, you can see that the industry is very focused on, uh, positioning and reputation and undertakes a lot of testing through competitions.

Moving on, the Australian olive industry is at risk of its e- reputation being destroyed. The importers initiated a strategic campaign last year to promote imported olive oil over Australian product. They're not supporting extra virgin olive oil because, while Australia produces virtually 100 percent extra virgin olive oil, the rest of the world doesn't. It produces lower quality. Importers will latch onto any reason why Australian extra virgin olive oil should not be consumed to promote their position and to increase imports. A lead mine in an olive growing region gives the importers that reason.

Next slide. Specifically with the IPC Assessment Report, on page 78 under Agricultural Impacts, it was stated that Enrisk's report determined that contribution of lead to soil and water would be negligible. But when you look at Enrisk's report, they indicated that the bioaccessibility of lead was about 33 percent. And this was d- calculated from soil samples taken mostly at zero to five centimeters with one sample taken from 30 to 60 centimeters. And how representative is this of the mine? The topsoil will be gone in the first day of operation, and then you're into, um, the, the, the deeper ore.

So if you move on to the next slide, you can see from the data they have in their report that's at, uh, Site 67, on the left hand column there, you can see that the total quantity of lead is much higher once you get below that zero to five centimeter level.

Next slide, please. The same paragraph within the IPC Assessment Report also said that lead is poorly taken up into plants, so impacts on crops are unlikely. Enrisk's report indicated that modeling was via the uptake of persistent chemical substances into edible crops following atmospheric deposition and via the roots. These models were calculated e- or calculated the potential accumulation of persistent biocumulative chemical substances in soil, um, which were relevant to project emissions, which may be the result of deposition from a number of air emissions resources.

Also, I didn't see much where it referred to inversion events in terms of moving, um, dust great distances. However, on the next slide, acid mine drainage is a significant risk. Low pH soil in the, or, or water created by, um, acid mine drainage solubilizes heavy metals, such as copper, zinc, and lead. Solubilized lead reaching the table and the water courses presents a significant pathway for lead to be taken up by plants, in this case specifically, olives from the soil water and irrigated from bores or dams or creeks. The Enrisk report did not address this significant pathway for lead to enter local food production.

On the next slide, lead is absorbed by plants mainly through the roots from soil solution and causes liquid peroxidation. So in other words, it changes the quality of the olive oil in the case of olive trees.

Next slide, please. So the reputation of the Australian olive industry for producing the highest quality extra virgin olive oil is at risk. Because lead will be released during the mining operation with the greatest potential for plant and crop uptake via the roots from the soil water. And this was not covered in the assessment report. This will give the olive oil importers the opportunity to position imported product as superior to the Australian product. How will this project protect the reputation and profitability of the Australian olive and other agricultural industries.

Thank you.

Commissioner Duncan:

Thanks, Michael. Michael, and just, just, uh... Just for the note in your presentation, that's great. But just for the record though, IPC doesn't do the assessment. The DPE does. So I just wanna correct that (laughs) on the record. But no problem. Okay, thank you.

Dr. James Smith:

Yeah. Uh, commission, I call our next speaker who is Jayne, um, Bentivoglio. If you could come forward. Uh, B-E-N-T-I-V-O-G-L-I-O.

Jayne Bentivoglio:

Uh, can you hear me all right? Commissioners, thank you for this opportunity. My name's Jayne Bentivoglio. I'm the owner and manager of Rylstone Olive Press and Bentivoglio Olives with my husband, Peter Bentivoglio.

In the past, I was a consultant nurse specialist in operating room nursing. I am a trained Olive Oil Panel supervisor, I'm a founding member of the Department of Primary Industry Wagga Olive Oil Sensory Panel, and I'm a past director of the Australian Olive Association, New South Wales Olive Council, and the Mudgee Olive Association.

My husband, Peter Bentivoglio, is the emeritus consultant neurosurgeon at St. Vincent's in Sydney. He's the founding trustee for the Peter Duncan Neurosciences Research Unit at St. Vincent's. And St. Vincent's Peter Duncan Neurosciences Research Unit is the leading research unit for dementia and Parkinson's disease and multiple sclerosis in Australia.

26 years ago, we came to Monivae to produce health-giving extra virgin olive oil. We wanted to contribute to the, to lowering cholesterol and lowering, um, the high risk outcomes of vascular disease. We oppose the Bowdens Mine.

On every neck label of every bottle of extra virgin olive oil we produce, is our mission statement. At Rylstone Olive Press, we produce Australia's finest extra virgin olive oils without harm to the environment and for the health and benefit of family, friends, and society. Our trees are 26 years young, known in the olive oil as, in the olive world as Young Grove, because olive trees live and bear fruit for over a thousand years. Our olives are here to grow and produce extra virgin olive oil for in excess of 300 plus years.

At Rylstone Olive Press, we've been processing extra virgin olive oil for ourselves and other New South Wales growers for 22 years. We've been honored with the New South Wales Olive Processor of the Year a number of times. We process for growers not only in Mudgee, Rylstone, and Gulgong areas, but the Hunter, Southern New South Wales, Western New South Wales, and the New England.

At Rylstone Olive Press, we're one of Australia's most awarded extra virgin olive oils. We have 19 years of competing in national and international oil shows for peer review, winning Southern Hemisphere and Australian Show Ch- Show Champion, Western Australia Show Champion, South Australian Show Champion, Canberra RIS Show Champion, New York Best Olive Oils in the World Champion. In the last 19 years, we've won over a hundred gold and silver medals from Australia, London, Italy, New York, Los Angeles, and Japan.

We have a function center at Rylstone Olive Press. We contribute to regional tourism. We have long lunches promoting our extra virgin olive oil, inviting guest chefs up to the region. At every long lunch, we do an auction. We raise money, and we give support to young adults with acquired brain injuries. During the drought, we supported Mudgee's 200 Bales and Buy a Bale. And in 2022, our auction proceeds went to Rylstone Hospital for the purchase of an oncology bed.

Over the last 26 years, Rylstone Olive Press is a valued member of the Mudgee Rylstone community. And we've supported and sponsored the Lue Rural Fire Service, the Lue School, Rylstone Street Feast, Mudgee Field Days, the Rylstone Show, Rylstone Hospital and Mudgee Rugby. The Rylstone Olive Press Conference Center, since 1999, we've been supporting Australian olive growers with our annual harvest workshops in association with New South Wales Department of Primary Industry, the University of Western Sydney, and the Australian Olive Association.

We promote Rylstone Olive, Rylstone Olive Press olive oils and regional extra virgin olive oils at international and national events, promoting Australian clean and green image of extra virgin olive oil.

At Rylstone Olive Press, we have 8,000 trees. We are 5.3 kilometers from the mine. The DPE recommendations for conditions of consent page 13, table 6 for total dust deposit is four grams per square meter a day. This will be accumulative and is prohibitive to clean and green agriculture.

The DPE has taken Bowdens' EIS demands on toxic dust deposit without any consultation with agriculture. With toxic and soluble and fine particle dust deposit, four grams a square meter a day. Bowdens and the DPE have shown no data of what percentage will be lead, arsenic, cadmium, cyanide, zinc, and other toxic metals. This allowable DPE and Bowdens recommended measurement will allow 52.9 kilos per year of toxic dust in our drinking water. It will allow 62 ton of toxic dust deposit annually on our 8,000 trees, our workers, in our dams, in our drinking water, and in our olive processing water. Bowdens will not be able to control the toxic dust.

The NHMRC guideline for lead in drinking water is five micrograms a liter. This guideline is not a value for Bowdens to pollute up to. The NHMRC guideline should be the ultimate maximum level. The DPE conditions of consent must recommend the total dust deposit for water, soil, and air to come under 50 percent of the maximum limit under this guideline. How will Bowdens Nine be able to adhere to this condition?

Extra virgin olive oil is a fruit j-

Jayne Bentivoglio:

... condition. Extra virgin olive oil is a fruit juice. It's the only oil in the world that requires CODEX certification to world and Australian standards. It goes through a physiochemical and organoleptic analysis. Can I have just a little bit more time, please?

Uh, and must have no faults. With DP and Bowden recommended allowance of toxic dust deposit, we will not be able to produce extra virgin olive oil. The organoleptic faults will cause a classification called lampante oil, which is inedible. In the trees, there'll be a loss of photosynthesis, a loss of pollination. The olive trees will fail to thrive. There'll be a greater risk of disease in the trees and death of the olive trees. We will always produce faults in extra virgin olive oil.

We have a right to live a peaceful life here on our property without risk of lead poisoning from Bowdens' mine and we have a right to succession and a generational legacy. That toxic contaminated dust is what Bowdens' mine will give us, causing lifelong family health issues including stress, anxiety, fears of lead toxicity, kidney damaged, impaired cognitive function.

Bowdens' mine prohibits the production of olive growing and olive oil processing in our area and any area that Bowdens' uncontrolled dust will contaminate. This dust contamination from this mine will be for hundreds of years in our region.

We have a right to live in a clean and green sustainable olive grove; to drink uncontaminated, clean beautiful water off our roof as we have done for 26 years; to produce and process some of Australia's highest quality extra virgin olive oils for ourselves, other New South Wales growers, and for the health benefits of all Australians.

I ask you not to approve this toxic, dirty Bowdens' mine, which will destroy the olive industry in our area and will increase the risks of many diseases in our community from lead exceedances and other poisonous chemicals. New South Wales Health does not have enough health dollars to cover the costs of diseases exacerbated by Bowdens' mine and the toxic dust they won't be able to control. Thank you.

Commissioner Duncan:

Thank you, Jayne.

Dr. James Smith:

Uh, commissioners, our next call. David Lowe. L-O-W-E for the transcript. Come forward, please. Thank you, David.

David Lowe:

Uh, commissioners, I hope you're enjoying Mudgee and the small town and the community that, uh, abuts this town, this wonderful town. I'm David Lowe. I represent the Mudgee wine grape growers and also a farmer, uh, just on the, uh, western side of the town.

In 1966, my father was asked to be part of a protest to stop an abattoirs which was opposite us and where they'd resumed 500 acres of land and he declined from it and the effects were massive on his reputation because he really didn't wanna be part of the local community to oppose it, thinking that the process would be corrupt and they'd do it anyway.

40 years later, that abattoir has closed and the landscape is severely scarred from where I stand. The message that, uh, he told me later on was that communities survive by being communities and neighbors need to be neighbors and neighbors need to work. That's one of the reasons I'm here because our neighborhood is strong. It needs collaboration and it needs all of us to work together.

In our form from what's proposed in the mine at Bowdens near Lue is, uh, agriculture looks like it's going to be on hold. And a lot of people in this time of life are thinking about succession planning, innovation, a whole lot of programs, of processes that we've learned and kept here in adoption are about to be con- be understood and undertaken. These things are in whole while there's concern about whether things will go ahead agriculturally.

The only thing that we can understand that's not on hold is actually mining. Man- mining is rampaging throughout the area and seems to have its own legs and own momentum. For us, uh, that doesn't seem quite far because we are very much involved from the primary through to secondary and tertiary, particularly when it comes to wine.

Uh, our right to farm is a very important one for us and we wouldn't be a week go by when we don't understand the- or sorry. Where le- understood where we need to have conservation trusts. We need to understand, uh, sequestration schemes and natural habitats. All the things that, uh, we know are important to environment are coming to us every week and we need to engage with that.

Things like ESG are not every important to us. We absolutely have to know what stand- where we stand with our environment, what our capacity is, what our imprint- footprint is on the environment. So our history of guardianship is strong and in my case, I'm a sixth generation farmer. That probably means I'm stupid. But our sixth generation of farming, we've made some terrible- done some terrible blunders and we admit that. We've done some bad practice, abysmal practices to our farming land.

But we've learned that and we've learned that over the period of time and we've adjusted the way we've done things. So to have something of a footprint that comes in that we think is so quick and so damning and so quick, how is it that a mining corporation can do this? How can a mining corporation go so quickly and put a- such a devastating tread on an environment when we, all along the line, we now have learned from the things that we've done over the past that are- have such a long chain, a long tile with them and we pay for it later.

The overgrazing we practiced in 1965. We've just got back with our native grasses. That's 50 year cycle. The good news is though that our Climate Atlas, which was released in 2019 by the Statutory Authority of Australia chartered the 62 Australian wineries has meteorological analysis and projections to the year 2100. And of course, it- it's- it's done by the University of Tasmania Bur- Bureau of Meteorology. It's very exact. I live by it.

And the opportunity for Mudgee is immense because our climate is moving away from what we call the full lock tugging western side of France varieties be- to new varieties that are opportunistic. Things from Eastern Europe, from the Mediterranean, from Italy, from- from Puglia, from Italy, from Calabria. All these varieties. I've planted seven hectares last year. It'll be 2027 till I see the first wine.

So I understand what a long chain means and long tile means. We- we make this investment daily for longterm things. We're not cash- just cash croppers. The wine industry takes a long period of understanding what's worth doing and we take the risks every day by doing this stuff. You see, wine is like blotting paper for climate change. The things that- that the- the word- the- the towa- is- is the total of the meteorology, the history and the culture. All those things are manufactured into a wine. So you take a bottle of wine anywhere in the world and you can taste Mudgee or Lue in it because that's the characters that go into our wine.

My last point is that I, in the last 12 months, I've lost three shifts, two kitchen hands and two gardens to mines. I don't think that we can stand, in our region, to lose our culture, our- our wonderful characteristics of town that's made us twice, uh, best town in Australia, if we lose it to another mine. Uh, as- as Jim Spigelman said, "Good policy is somewhere between the extremes of public opinion." I hope the dial moves towards keeping the natural habitat where it is. Thank you.

Commissioner Duncan:

Thank you, David.

Dr. James Smith:

Uh, commissioners, I call our next speaker who will be joining us online. It's Robert Bleach. For the transcript, B-L-E-A-C-H. If we could now go to the... Uh, mis- Mr. Bleach, can you hear me?

Robert Bleach:

Yes, can you hear me?

Dr. James Smith:

Yes. Confirming we can both-

Robert Bleach:

Yeah. Yeah.

Dr. James Smith:

... and the commission can hear and see you clearly. Please proceed.

Robert Bleach:

Great. Yep. Uh, thank you for the opportunity to speak and I welcome the fact of the independent review. We live on Planigale Road. We have 1,000 acres just a few kilometers down from the proposed mine. The proposed mine is significantly lead by volume. The proposal is bad for the people of Lue, bad for the people of this region and bad for the people of New South Wales. It should not be permitted to proceed.

This presentation will highlight concerns with the planning and approval process and the significant risks to the community inherent in the mine proposal. There will be more detail in my written submission.

This will be our third or fourth submission. The department documentation states that all previous submissions are available to the IPC. The IPC should read all these in full and make its own independent assessment that the pros and cons and not merely rely on the summaries and conclusions provided by the department or the proponent and its advisors. How will the IPC do this in the short time available?

Many expert reports have been submitted outlining the significant risks, e.g., great water loss and lead and other poisoning. These counter the bland assertions by the proponent that any risks are unlikely to be significant. The department has said these contrary reports have been taken into account. The IPC should independently assess these reports and advise why they are wrong and the proponent is right.

Where is the overall cost benefit sheet setting out the dollar benefits that the IPC ordered thereof? And the proof that these exceed all the actual harms. It is ex- it is absolutely certain there'll be some lead poisoning to the community. Just look at the rewards Broken Hill is- is reaping now. There will be water loss and leaching of toxic chemicals from the tailings dam and elsewhere.

The issue seems to be in quantifying this. It's not enough for the department to say, "Risks are insignificant and are to be mitigated where feasible." More precision is warranted. Mathematically, how many people will actually be poisoned? Will these be children and teachers at the school or surrounding farms and houses? Or people downstream on Lawson Creek?

What is insignificant risk? Will just an insignificant number of people be heavily poisoned? Or a few more people party poisoned? Or a lot of people acceptably poisoned? And who is there to tell them and obtain their agreement?

How can the assertion that there is no water problem be credible and be accepted? First Bowdens has advised, "Don't worry. No local water will be used. We'll ship it in." Now it's, "We'll use local water and there'll be no impact." Or more precisely, "Any impact will not be significant." Again, what is insignificant and what is acceptable water loss? Water for the region is too precious and its supply too unpredictable to put at any risk.

Some countries overseas completely banned silver mining and other toxic metal mining because of the impacts on water and local health. Why is a totally new greenfield site even being considered in a middle of a community with a thriving economy and PAR vibrant lifestyle? PAR, peaceful rural.

Why are too many of the conditions proposed by the department prefaced by, "If feasible," or, "If significant."? I appreciate that conditions have been thought out to some extent but these terms are not precise and weaken the safeguards. We need real practical conditions with bias that demand commitment and which require real-time, independent monitoring, not vague words on paper that could be open to clever interpretation.

Feasibility of safeguards should not be determined by Bowdens' view on costs and impact on profits, but on what is scientifically possible now and in the future. There is likely a huge gap between the two. And the IPC should I- identify and insist on this.

Beware the catchphrase of jobs and investments. Nothing wrong of course with the principle of jobs and sound investment but look at the true costs and who bears them. Corporate profit and government royalties may be banked quickly but costs can be very long lasting long after proponents and regulators have moved on.

The jobs and investment will be the minimum to make the corporate profit model work. The IPC needs to ensure the costs and longterm risks to the New South Wales community are properly identified, quantified and claimable from the proponent and its directors regardless of the single purpose entity shields and clever legal structures in place.

If the ma- mi- if the mine is as benign as asserted, then the public company shareholder and the directors should have no concerns. The New South Wales government recently abandoned plans to open up the whole area for new greenfields coal mining but these were quickly shelved when community costs were made apparent. The mantra of jobs and investments just evaporated.

Bowdens didn't invent the mineral deposits or discover them. They have done additional exploration work and have a proposal to exploit the deposits. Is the IPC convinced Bowdens have the real technical know-how and experience and the finances and the will to mine? Or will the mine and any approval granted be commoditized and sold to the next speculator? And will we all have to go through these processes once again with the next proponent willing to cha- chance its arm and have to assess revised proposal and likely watered down protections?

The deposits are owned by the people of New South Wales through the New South Wales government. Given the history, the greenfield site, significant risks and guaranteed damage, the IPC should not permit the mine. Thank you.

Dr. James Smith:

Thank you, Robert.

Okay. Commissioners, I call our next speaker, which is Gerald Norton Knight. K-N-I-G-H-T for the transcript. Sir, if you could please come forward. Thank you.

Gerald Norton Knight:

Thank you. My name's Gerald Norton Knight. We live in a- a property 10 kilometers north of Mudgee. We grow grapes, we grow olives, we breed cattle, we have a cellar door, we have a, um, art gallery, a sculpture garden and we have a guest house. So we are very reliant on the tourism industry.

We moved to Mudgee 40 years ago at a time when Mudgee was a quiet, rural town. The town's population is around 6,000 people, most of whom are- are either under 18 or over 50. Arriving as 30

year olds, few people were our age. 40 years later, the town's population has doubled. The age demographic for 20 to 50 years old is 33 percent of the population. The median age is 42. We have become a magnet for young couples wanting to raise their families in a safe, breathable environment.

This has added to the vibrancy of the town, which has not been seen before. The region has also capitalized on the establishment of the wine industry. 40 years ago, there were around five cellar doors. Most groves grown in the valley were sold to the Hunter Valley producers. Since then, we now have about 40 cellar doors of our own and we've become a viable alternative to the Hunter Valley.

Due to the proximity to Sydney, Newcastle and Wollongong, we continue to experience significant growth in tourist visitation. Some of the advantages we have around the wine districts include we are predominantly small family owned operations. We are not seen as being overly commercial. We are clean and green and we produce good wine.

Around the wine industry, associated industries have established themselves such as excellent accommodation, restaurants and bars. A thriving wedding event industry has developed. We currently have full employment in this region with most hospitality businesses looking for staff. A side benefit of full employment is that we have the lowest crime rate in New South Wales.

If you speak to local police, they'll tell you the positions in the local area of command are highly sought after. Our cellar door experience is that we consistently hear what a beautiful region this is with its rolling hills, nature walks such as the Drip Ferntree Gully, Castle Rock, etcetera. The architecture in our towns is admired. This region was the second European settlement this side of the mountains after Bathurst.

The region grew during the Gold Rush and much of the architecture can be attributed to that period. More and more people are discovering the region for the first time. The Council, to their credit, has invested heavily in the region. We now have a sporting complex of a standard to host sporting events previously only held in metropolitan areas. This weekend, for example, there was a Charity Shield football match between St. George and South Sydney being played at Glen Willow. The Council has also built a regional gallery, which has expanded an already vibrant arts community.

The point I'd like to make is the region is experiencing significant upturn trend, an upward trend. This is a golden period for the region. To reinforce the point as you already know, Mudgee's been awarded the best tourism town in Australia for the last two years. We are the envy of regional Australia.

It worries that the risks identified such as acid mine drainage, lead poisoning, contamination of water, reduced water supply of water, biodiversity concerns, etcetera, have not been properly addressed by the proponent. While there was conflicting advice from experts in their fields, it's hard for a layperson to have confidence in this proposed mine.

This matter's been dragging on for a number of years and it appears to me that the department of planning have recommended approving the application without resolving all the contentious issues, even to the extent of ignoring its own independent advice. What's the point in hiring independent experts?

The process must be transparent and it must be seen to be transparent. It appears to me if Bowdens get it wrong, this region is ruined. We'll go from the best town to the worst town. I suspect all sectors of the local economy will be impacted. Perhaps the exception of mining.

There are currently 11,700 jobs in the Midwestern region area. Is it worth the risk of creating 228 jobs if thousands could potentially lose theirs? According to an employment agency website I looked at last night, there are 309 jobs available in Mudgee. We don't need to create more jobs. We need more people. Is it worth the risk? Thank you.

Commissioner Duncan:

Thank you, Gerald.

Dr. James Smith:

All right. Um, uh, we were scheduled to take a break but we will proceed through if the people are available and now is a convenient time for them to speak. We've got seven speakers left for this afternoon. Uh, so if, um, Philip English is present and able to speak, we'll proceed with- to hear your submission. Uh.

No? All right. Uh, in terms of the protocol we had earlier, if you are registered to speak this afternoon and you are able to come forward now, if you could just raise your hand. Excellent. Thank you, ma'am. If you could please come, um, to the podium.

Janet Walk:

I'm glad to do that.

Dr. James Smith:

Thank you. If you could just state your full name for the transcript and- and provide your submission.

Janet Walk:

My name's Janet Walk. I live at Camboon and I live, uh, about nine kilometers, what we say out here, as the crow flies, from the mine site. I'm making a submission to object to the Bowdens mine proposal as recommended by the New South Wales Government Department of Planning.

I operate a B&B comprising two dwellings, a horse stud and I'm a re- retired registered nurse with a Master's in mental health nursing. I'm familiar with scientific methodology and data analysis in the scope of my practice. I'm suggesting that the scientific methods are lacking in the Department of Planning's assessment, uh, ignoring fundamental data and therefore, arriving at a conclusion to approve the Bowdens Silver mine proposal.

The assessment contains a set of assumptions to justify to the Mudgee community the need for the project. Let's look at some of these assumptions and I'm going to call them myths. I'm going to address some of the myths in the documents and propose that the Department of Planning assessment has lowered the bar for approval. Mere- moreover, it has ignored and downplayed the data particularly from, uh, the data and advice of its own expert consultants, particularly on acid mine drainage that red flag the high stakes for the people of the Mudgee region.

So is it a lead mine or is it a silver mine? In terms of the impact on health, river and land health, it's clearly a lead mine. I run a bed and breakfast with two dwellings and in terms of my trade, I don't think it's a- a silver mine. It's a lead mine. I don't know many destinations for- as a lead mine, um, in tourism.

In terms of the multimillion dollar tourist industry, agricultural industry, it's a lead mine. Is it a silver and zinc mine? Probably to the investors. I also know- I do know that Bowdens Silver have rounded up the investors who will, as is their right, make a submission supporting the proposal. But we live with the risks so it's hardly a level playing field.

The assessment attempts to minimize the lead aspect of the project and silver sounds a lot more harmless. Think cutlery, jewelry, medical products and let's throw in a dash of greenwashing. For the solar panels, yes. Silver has its- has its uses. That's not we're- what we're debating here. We know that. It's used- but this silver- these arguments for silver production are used repetitively throughout the

document while minis- minimizing the effects of the very real danger of silver mining and that's lead and the dust and they haven't got the water to suppress that dust. Another myth. It's the biggest potential undeveled- undeveloped silver deposit in the world. Well, I'm sorry. But as a horse breeder, I cannot tell you how many potential Melbourne cup winning yearlings there are out there for sale. Even a cursory Google search will tell you that the- there are eight to 10 biggest undeveloped silver mines around the world. Mexico, Bolivia, Argentina, Poland, Russia, the United States, Peru. Indeed, I think recycling has even become a growth in- recycling of silver has become a growth industry in our technical era.

With advertising language, the Department has minimized the lack of water for lead dust suppression and risks A&D. The impacts of blasting, noise and other amenity affecting issues that are more than the footprint of Lue. I can hear a car coming from five kilometers away in our quiet nights and blasting all through the day. But Bowdens said they will deliver me a time table of when the blasting's gone on. This is not a prevention. This is not a mitigation strategy.

Previous owners, um, previous owners of the mine, Rio, Golden Shamrock and King's Gate have all walked away from this mine. They realized that there isn't enough water. In summer dry times and extended droughts we- drought years with an open cut pit to a depth of 150 meters or more and a- a breadth of 50 hectares, when those of- of li- us to live here know that even keeping a garden bed wet for half an hour is impossible.

I've got one paragraph.

Dr. James Smith:

Keep going.

Janet Walk:

Is impossible and that's with mulch on it. The wind doesn't care about the boundaries. It's not just confined to Lue. And Mudgee are also realizing this fact. Kandos cement jobs- Kandos Cement Works closed 12 years ago. This town has moved on. Real estate values have doubled in Raston and Kandos. Tree Chains has moved here. It's a myth that Kandos area is in decline. We don't need more job- job opportunities.

As we- as we've heard, there's 3,600 jobs coming with the renewable energy zone in the Central West and around the areas. As a mental health nurse, I do understand that some people are- do not find employment but there, uh, issues for that. There are reasons for that but vacancies in this case isn't one of them. The DPE seems to be confusing an assessment with a policy. The policy is- is described in paragraph 467 where it states, "In this regard, the New South Wales Government is committed to building on the state's potential to become a major global supplier and processor of critical minerals and high-tech metals, including silver, zinc and zinc, and to reducing its reliance on coal and fossil fuels. Bowdens Silver deposit is the largest undeveloped-" Here we go again. "Silver deposit in Australia and one of the largest globally. And development of the project would be consistent with the New South Wales Govern- Government's vision and commitment. Development of the project would also potentially encourage further investment and development of similar silver pro- deposits in which- which in turn, would generate more jobs and income for the state."

The DPE has confused a- a- an assessment with a po- with a policy. The assessment has the fingerprint of the Minerals Council on it. It has a bias and its scientific na- analysis lacks ri- academic rigor. It is a fail. I urge you to reject this proposal.

Commissioner Duncan:

Thank you, Janet.

Dr. James Smith:

Thank you. Is there any other registered speaker that's available to come this afternoon? Yes, thank you. In the back.

Great. Thank you. If you could state your name for the transcript and then begin your submission. Thank you.

Anna White:

Anna White.

Dr. James Smith:

Yes. Thank you, Ms. White.

Anna White:

How can a lead and silver mine in the Midwestern Regional Council area even be in the realm of possibility? My name is Anna White and along with my family, we have a sheep and cattle farm. As the crow flies, it's a little over 10 kilometers northwest of the mine site.

The existing tourism industry in the Mudgee area is booming and environmental conditions have led to a fruitful couple of years for farmers off the back of a very tough time. The mine Bowdens is proposing will compromise these successes. The Bowdens is not interested in the health and longevity of the community of Lue and further extensions to Mudgee and surrounding areas.

Bowdens is cutting costs in this set up and development of the mine and also, the rehabilitation of the site. Bowdens is proposing methods that have never been successful in any other lead and silver mine across the world. Mudgee and its visitors should not be the guinea pig for untried technology or lack thereof. The risks and cost to the community are just too high if they get it wrong. Yesterday morning, a certain representative from Bowdens defined the mine as a silver mine because it will make more of its income from silver than it will lead. What he failed to say was that Bowdens will extract 50 times more lead than silver. That sure sounds like a silver and a lead mine.

This same Bowdens representative spoke at length on the benefits of mining silver with a complete disregard to mention the impacts of lead mining. Bowdens' failure to raise and address issues that make them uncomfortable has only left bigger questions and mistrust in the community. What else are they trying to make go unnoticed?

People are becoming more invested and educated on what they are putting into their bodies and where their food comes from and how it is grown, right down to an- animal husbandry methods used and what chemicals were used and grown- were used in the growth and production of the good. All of which impact the decisions that we make on farm.

How can any company local to the Mudgee area honestly advertise as a premium clean green product when there is a potential of lead dust in the product or acid mine drainage taking place just 20 kilometers upstream? And why would a consumer choose to buy that product if they knew it had been compromised at any point?

An example a little closer to home. Generally speaking, farmers are price takers. We are at the mercy of what the consumer wants. As a business, we sell a considerable- considerable proportion of our beef

directly to Coles. Coles currently have a grass-fed brand and a brand that includes animals that have been grain-fed at some point in their lives. There is no lead fed brand for good reason.

The premium grass-fed brand was created because the consumer believes that grass-fed beef tastes better and is better for you than grain-fed beef. I'm not here to debate whether the consumer is right or wrong but as farmers, all we can do is put ourselves in the best possible position to sell products at a reasonable price set by the consumer.

Whether it's grass or grain-fed. So while today there is no discount for animals grown on or near a mine site, what will happen if the consumer has the perception that livestock grown near Lue or Mudgee surround-

Anna White:

-sion that livestock grind near Lue or Mudgee surrounds, are grazing on pastures tainted with lead dust. This information doesn't even have to be correct. We've already seen the power of social media and the rise of false information swaying consumer trends. Big companies such as Coals are very responsive to those consumer shifts, and so are the prices offered to farmers. So will farmers in the region lose access to premium brands and prices due to Bowdens' mine and the possibility of lead dust present?

Currently, Mudgee is not a lead mining area, and the unprecedented challenges set by Bowdens' mine is raising more questions than answers, and certainly does not instill confidence in the health and welfare of the community. The residents of the Midwestern Regional Council should not be subject to untried, unproven technology. The risks are too high to the existing tourism and agricultural industries. Any jobs created by Bowdens could be jobs lost in the agricultural and tourism sectors.

The IPC should not approve Bowdens' lead and silver mine. Thank you.

Commissioner Duncan:

Thank you, Anna. (applause)

Dr. James Smith:

Thank you. Is there anyone else who is available to come forward who's registered? Ah. Thank you, ma'am. Come.

Jane Crosskill:

I don't know. Is that okay? Um. Hello. My name's Jane Crosskill. Um. Thank you, commissioners. I'm speaking on behalf of Central West Environment Council, an umbrella organization representing conservation groups and individuals in Central West New South Wales, working to protect the local environment for future generations. The environment council has lodged a range of objections to the proposed lead zinc and silver mine at Lue in the Midwestern region. These objections have not been adequately addressed in the company's response to submissions or the department of planning assessment report.

It is noted that a number of independent reviews were lodged in December '22 that raised considerable questions about the project assessment, particularly in regard to water modeling and water quality assessment. The department has not adequately addressed all the issues raised by independent experts. We continue to object to the proposed mine for the following reasons. One, failure to use the latest regional climate models developed by the New South Wales government. The government has developed new climate change models for the Mcorey region to use in the regional water strategy. We raised this issue in one of our submissions to the project amendments.

The modeling used to assess the mine, particularly for the water balance, does not address the climate scenarios and predictions used in the government models. This is a failure of the assessment process and demonstrates a disregard of issues raised in submissions. Two, the necessary water supply has not been guaranteed in prolonged dry times when dust suppression is critical. We have seen the impact of water shortages from mining across the region during the intense 2018, 2019 drought. The large Cadia gold mine, the orange, has progressively acquired more and more water licenses in the region, taking water away from food production.

The Cobar mines were also under stress and water was delivered to them from Burrendong Dam, threatening water security for the city of Dubbo. Mining companies do not want to reduce operations during a drought, and the government has a record of favoring mine water supply over all other users. In a predicted drying climate, there will not be enough water supply to suppress lead dust during drought. Thirdly, the assessment has not met the secretary's environmental assessment requirements in regard to water quality.

Water quality has not been included in the site water balance model, as required. Poor water quality arising from a heavy metals mining operation is a critical issue. The argument that the site will be nil discharge is incorrect because of... As we've heard before, the Tailings Dam has been designed with a spillway to discharge in extreme weather events. It is critical to have an analysis of the chemical and heavy metal content of the Tailings Dam. Heavy metals do not dissolve, therefore cannot be diluted, and they accumulate in the environment.

A full water quality analysis must be undertaken to understand the level of potential pollution of receiving waterways. Fourthly, biodiversity impacts. We strongly object to the proposed destruction of habitat for the koala region, honeyeater and other species threatened with extinction. The proposed three stage process for finding suitable offsets is not acceptable.

Finally, not all alternative options for the mine have been considered. There has been no assessment of the feasibility of underground operations. If there is additional resource deeper than the current proposed mining operations, and the low grade silver is as important to the New South Wales economy as claimed by the department, then all options for mine design should be considered. An underground mine would resolve the water shortage and dust suppression issues, and reduce the noise impacts, the removal of critical biodiversity habitat and the disturbance of significant Aboriginal cultural heritage sites.

The lack of assessment of an underground mine that significantly reduces the impact cost to the community and, and environment is a failing of the process. In conclusion, Central West Environment Council recommends the Lue mine be rejected.

Dr. James Smith:

Thank you, Jane. (applause)

Thank you. Is there another speaker available to come forward? Uh. We have left registered this afternoon Phillip English, uh. Mr. English, are you here and ready to proceed? Uh. The remainder are, uh, Katie Dicker, um, Anita Hood, and Margaret Cameron are our remaining speakers. Are any of those people present? Otherwise, wow... Uh. All right. Thank you on that basis. We'll take an adjournment, um, and we will resume at, uh, 4:58, so about a 20 minute break. Thank you everyone.

All right. Thank you everyone. Resuming, uh, and our next speaker to address the commission is Margaret Cameron. For the transcript, C-A-M-E-R-O-N. Thank you, Ms. Cameron. If you could now proceed with your submission.

Margaret Cameron:

Sure. Thank you. Good afternoon, commissioners, and thank you for letting me speak this afternoon. I ask you to refuse the project for the following three reasons. Number one, our local tourism provides many jobs and income for local residents, both workers and trades. In fact, the same department are planning who recommended the approval of this mine, recently amended the planning rules in a push to encourage the fast tracking of agritourism ventures. Number two, the economic review of the project does not consider any of the negative financial impacts of the introduction of an open cut mine and shutting down of tourism would cause.

The economic review does not adopt the advice of their own consultant CIE, but rather accepts Bowdens' position instead. Number three, the Department of Planning have not provided conditions that will adequately protect the people affected by the mine. They're most, mostly aspirational, and there are no acceptable consequences for any exceedances of dust and noise. I ask that the IPC protect the existing use of agriculture and tourism in the Lue region.

My name again is Margaret Cameron. I've owned my farm Wiona for 26 years and it's the place I love the best. While small, it is a very productive, as we are fortunate to have a kilometer of frontage to the Lawson Creek. We are situated in the middle of the planned mine pit and the Tailings Dam. Over the years, our little farm has produced oats and fattened cattle, and is also home to a couple of rescue race horses.

More recently since 2018, it has become a successful Air B&B. Scenic nature and farmland is our business. Our guests choose us for the natural beauty, clean air and water, and for peace and quiet, and stunning dark night skies. When they're not enjoying the farm, they're out shopping in local supermarkets and gift shops, eating at local restaurants, drinking at our pubs and clubs, visiting our olive press, and doing local wine tours.

Most of my guests eat and shop in Rylstone and Kandos as it fits with the quintessential small country town experience. In September of 2022, as we know, (laughs) Mudgee won the award for Top Tourism for the second year in a row. This open cut mine would tarnish Mudgee's clean and green image and leave a scar that may never recover. The towns of Rylstone and Kandos have enjoyed the growth that tourism brings since the Umwelt Social Impact Report in 2019. So much has changed, leaving this assessment outdated and inaccurate.

We've had droughts, COVID, floods. And despite all of this, these towns have flourished due, due to tourism. In Rylstone, I often hear the phrase, "You can't get a park there on a weekend." This is due to tourism. Kandos is becoming an artist town, largely thanks to Cementer and the flow on of similar initiatives. City people are choosing it as a tree change destination. The town is so unique and the surrounding mountain landscape stunning.

This success is evidenced by the increase in home values in the region. Whilst these changes are different to what mining may have brought to the region, they are nonetheless critical to the future of these towns. The evolution has been slow, but it is real, and the future of all the new shops and businesses in these towns rest on the success of the tourist travel that travels through Lue from Mudgee. In this small part of the world, tourism and mining sadly can't exist together. We ask that the IPC please help us to continue to allow the existing use of our land and allow us to operate our businesses and employ local people and trades as we have done for the past few years.

Why are mining jobs more important than tourism jobs? We are already employing local people, and these jobs are important to us, and they're important to them. The introduction of an open cut green field mine will ensure the closure of ours and many similar local offerings. I'm aware of at least 20 of these B&Bs that are within a 20 kilometer radius of the mine site, most are closer, and new ones are

opening all the time. Those that I have consulted feel that they will be forced to close their businesses. According to the Midwestern Council figures-

Margaret Cameron:

According to the Midwestern Council figures, under the tab Tourism Visitor Expenditure, each person visiting our region will spend \$398, excuse me, on food and accommodation. On further research, our B&Bs tell me that the number of guests they host each year ranges from 500, sorry, 350 to 660. If I use a conservative average of 400 guests each and over 20 B&Bs, it equals 8,000 visitors each year, and each visitor spending \$398 equates to 3.2 million lost to our region each year. I searched DPEs economic assessment to see where these figures were included and was surprised to see that they were not included at all. In fact, there was no mention of negative cost for loss of revenue at all to the region. Like others, I also searched the word tourism in the assessment and found it just three times with very little commentary.

I was further surprised to read the following on page 74 of the DPE assessment report where they discussed financial benefits and I'd like to quote this paragraph as follows, "At 467, while these direct financial benefits are not as large..."

Can I finish?

Yes.

Yeah.

"While these direct financial benefits are not as large as many other mining projects and are significantly lower than a typical coal mine would generate, the department notes the strategic importance of the mines to the New South Wales economy. In this regard, the New South Wales government is committed to building on the state's potential to become a major global supplier and processor of critical minerals and high-tech metals, including silver and zinc, and to reducing its reliance on the column fossil fuels mining sector. The Bowden silver deposit is the largest undeveloped silver deposit in Australia and one of the largest globally, and development of the project would be consistent with the New South Wales government vision and commitment."

I now understand why there are no negative numbers in the financial assessment and why the department have overlooked advice by their own financial experts, CIE and others. It seems that the department, the DPE, had already decided that they would push this project through at all costs. I understand the importance of future mineral mining but this is simply the wrong fit for this region. We have way too much to lose here and this project needs to be judged on its merits. I have a legal background and I believe in due process and procedural fairness, and I don't see any of that here.

I'll elaborate further in my written submission where the DPE have failed to use advice of their own experts. And, again, I ask you, commissioners, to please refuse this mine, and I thank you for listening to me.

Commissioner Duncan:

Thank you, Margaret.

Commissioner Duncan:

I call our next speaker which is Anita Hood.

Anita Hood:

Thank you. Okay, good afternoon.

Commissioner Duncan:

Excellent. Ms. Hood, your journey is by telephone and I can confirm that we can hear you clearly, so please proceed. Thank you.

Anita Hood:

Thank you very much.

Okay, to begin my presentation, I would like to introduce myself. My name is Anita Hood. I'm a high school teacher of about 20 years now. I am also a land owner of 120 acres in the beautiful area of Monivae. My property, actually, is next door to the stunning Rylstone olive press. My family and I purchased our property in 2016.

Commissioner Duncan:

Sorry, Miss Hood. We're getting every second word. Uh, are you on a, is there a position where you can get a better mobile reception if you're on a mobile phone?

Anita Hood:

Sure, is this better?

Commissioner Duncan:

That is a lot better, thank you.

Anita Hood:

Okay. Okay. Do you want me to start again or...

Commissioner Duncan:

Yes, that would be appreciated.

Anita Hood:

Okay. So, to begin my presentation, I would like to introduce myself. My name is Anita Hood. I am a high school teacher of 20 years. I am also a land owner of 120 acres in the beautiful area of Monivae. My property, actually, is next door to the stunning Rylstone olive press. My family and I purchased our property in 2016. We have two young children and our attachment to our land and place cannot really be put into words. My husband is of indigenous heritage, so for him, our property brings him a sense of place, identity, and belonging.

But now, Bowdens mine has shattered our dreams and hopes for our future. The mine sits 5.75 km from our property. Currently, we run a successful alpaca stud and a thriving, sustainable, short-term accommodation stay. Our business is booming. We are partnered with a well-known ecotourism brand, Into The Wild Escapes, that currently has a social media following of 120,000 people. We often have well-known chefs and artists stay with us.

Sustainable ecotourism has become ever popular with city people and it is the future. Our guests are eco-conscious and also understand the need to savor and protect our beautiful and sensitive landscapes, and this is why our business is booming. We also employ a local cleaner, we employ several

tradespeople from the area to help with the maintenance of our property. We know that our business provides great economic benefits to the Mudgee region.

However, the ethos of our business is now under risk. How can our beautiful tiny home, defined as a wellness experience in nature, purposefully designed for nature gazing, allowing people the experience to switch off from city life, be that now if Bowdens mine goes ahead. We average about 400 to 500 guests annually. They are mainly Sydney City dwellers looking for sustainable eco-friendly getaways. And here is what I know about our guests. They also love to spend money in our region. They actively contribute to the Mudgee region by visiting restaurants, cafes, wineries, and local attractions. They also like to camp by the stars of an evening of peace and quiet. But most of all, they detest mines, and the reality is, who would want to book an escape five kilometers away from a mine. I know I wouldn't.

The irony cannot be ignored. There simply is no appeal or attraction in a getaway close to a mine. Not now, not ever. The future success and purpose of our business is now under immense threat. The idea that this mine is within close proximity of our tourism business and many others is alarming. I am certain it will however a negative impact, not only on our business but it will be felt by the whole region.

Furthermore, Bowdens and the final DPE assessment fails to adequately address this negative effect of tourism. In fact, the word tourism is hardly mentioned in the DPE assessment. How could this be largely ignored?

I leave you just with the final words, that if this mine was in your backyard, would you feel safe? Bowdens mine, in my opinion, should not go ahead for those reasons. Thank you.

Commissioner Duncan:

Thank you, Anita.

Commissioner Duncan:

Commissioners, I call our next speaker who is Katie Dicker. If you could please come forward. For the transcript, D-I-C-K-E-R. Thank you very much.

Katie Dicker:

Thank you. Thank you for allowing me the opportunity to speak. I'm sure, over the past two days, you have heard many perspectives on the proposed Bowden project. I would like it noted, I am not speaking on behalf of Midwestern Regional Council. As with most people who live in the community, I have many roles. My roles include a woman, a daughter, sister, wife, mother, health professional, business operator, board of director, elected representative, sport player, sport dance parent, friend and colleague.

From all the roles that I complete in the community, I feel what this ICP comes back to is what is best for our community. I commenced my professional career in the Midwestern Region in 2011, working as an occupational therapist within the LGA. The clients of Rylstone and Kandos always had levels of complexity from socioeconomic status, no transport, and inconsistency of service provision.

Each year, until approximately 2015, we had seen an influx of families that moved to the area because rent was more affordable and with a lack of public transport, reduced their reporting requirements. During this same time, Mudgee and Gulgong continued to develop but Rylstone and Kandos stood still. As Mudgee became higher in the cost of living, many moved to Kandos, Rylstone for affordability. This saw the rents increased and reduced those relocating from other regions.

In 2022, I returned to undertaking work at Kandos Primary School. For the students, the above issues are still in play. In an attempt to balance my growing family and work, I began working in occupational rehab

within the coal industry. I meet the workers as they come into the industry or are transferring between sites. This industry allows my family to continue to live in this region. Industry within the community should never be underestimated. Industry keeps people within an area. People are what make a community. People that volunteer in the RFS, VRA, sports coach, preschool board, PNCs, Rotary, Lions and CWA. Industry is also what brings people to our area. Some will complete their contract and move elsewhere, and some, like me, get their first professional position, like the region, stay, and are now raising their families here. Those that come here may bring partners who will see the need for services and put their skillset to use. Services that may include childcare.

In Kandos and Rylstone, at this point in time, if your children are under three, your only option for childcare is one family daycare provider. If your child turns three, they can attend the preschool which is provided... Which is approved for 40 places but is running below capacity. Its hours are 8:30 til 4:00.

As a working parent, having access to services that supports me to complete my paid employment is a must. Lack of services in Rylstone and Kandos is not attractive for families when considering where to live in the LGA. An industry with a minimum lifespan of 16 years may provide an opportunity to change this.

Industry can also offer secondary employment for those in the region. The rosters can allow you to balance a working farm, small business, study, or raising a family, thus strengthening the community for families.

Ten years ago, if you lived in our region and sought to continue your education, you had to consider moving where you were going to study. In present day, you can remain in your family home while completing your higher education. This means, you'll want employment close to home that will fit in with your studies.

Industry allow... Assist by allowing people to remain within our region. At this time, for those that reside in Kandos-Rylstone, their main option is just to relocate to another area. Small business is a valuable provider of employment but they do not have the same capacity or flexibility as bigger business chains located in higher population areas.

In reviewing this speakers list for this IPC, there are some formidable members of our region that have stood and spoken. I have learned from their knowledge and admire their passion for our community. They remind me that we want this region to be strong, to have an open dialogue and economic diversity.

I believe the processes that a company has to undertake in order to obtain a mining license within New South Wales makes the company take their responsibility to the community seriously. Legislation for this industry has been written from the mistakes of the past that have caused harm. There are no winners when a catastrophic failure occurs. The effects are felt by the whole community.

I know the people who are employed by Bowdens. They are part of my mother's group and sporting clubs. They do not want to decimate our community, they want to contribute to it.

Commissioner Duncan:

Thank you, Katie.

Commissioner Duncan:

Thank you. I call our final speaker for today, and that is Phillip English. Mr English, if you could come forward. For the transcript, E-N-G-L-I-S-H.

Phillip English:

Good afternoon, Commissioners. My name is Phillip English. Along with my wife, we own Monivae station which is located approximately 3.5 km east of the project area. I am a member of the Lue Action Group and had a long career of undertaking, facilitating, developing the mining area. And, by nature, I am pro-development.

I'm not here to discuss any of the issues relating to the mine that have been discussed by others. I want to wholly and solely concentrate on my farming operations. And I do support the activity, like, the issues that are being raised by LAG.

Our farm was first established in 1822 and represents one of the oldest farming operations in the area. We've got 2,000 acres of undulating land, alluvial flats. We farm grain, fodder and cattle primarily. Our operations are supported by irrigation, 371 megaliters of water allocations, which we do use for irrigation. Our operations are one of the largest single water users, and also one of the largest single entitlement holders of water within the Lawson Creek catchment area.

Over the last three years, we spent close to \$900,000 on capital on plant equipment and allocations to improve and extend our irrigation capacity. At this point, our single largest business risk is Bowdens project.

My concern... Quite a catch.

My concern is not for the direct loss of water, as we're located upstream of the Bowdens project, but the consequential loss of water and the degradation of water quality in the Lawson Creek as a result of the mining project. And then the consequential impact to ourselves as an upstream water user.

My experience and the observations I'll make in this presentation or this, uh, I guess, presentation, are based on my professional experience. I spent seven years with the Environmental Protection Authority as an EPA officer, regulating industry. I spent 16 years within the mining sector and 13 years on the executive of the Ulan and Malabar Coal executive teams.

At the Malabar operations, I was the first person on the stage to major project expansion and the last person off that project, and received, amongst seven of my peers, the employee of the year award amongst 400,000 employees from Yangjong which owns Yangcop.

For the last four years, I've been a full-time farmer and taken the skillsets and applying to our farm.

As far as a community member, I've been the president of the Rylstone Show Society, president of the Mudgee District Cricket Association. I've coached junior, numerous junior sporting teams and currently coach the Central West Opens Rugby Team and a member of the Blight Eight Amateur Racing Committee for the last 13 years. So, my comments on the project are thus.

I believe that the modeling is flawed to support the operation. For the purposes of DIS and the response of submissions, we highlighted our extraction and are titled Entitlements. And the fact that we undertake our irrigation operations, they haven't been reflected in any of the documents that have been presented by Bowdens to date.

So, I guess, modeling is only as good as its inputs and in this case where we are one of the single largest water users and the biggest water entitlements, they haven't benefit captioned in any of the modeling undertaken to date.

The second point that I raise is the uses of the Cudgegong River as a reference point for the surface water monitoring assessment. The Cudgegong River is not even within our catchment and reflects a totally different water source, water stream, water behavior. Lawson Creek catchment is, has a short duration peak flows and quick returns to bay flows. Neither of these are consistent with the Cudgegong River.

The third point I raise is the overstatement of the Lawson Creek flow volumes. Now, if we can just look at the plan there, you can see Monivae Station, uh, Lawson Creek, a temporary gauging station which was installed on Lawson Creek by myself in the last couple of days. And you see the confluence with Lawson Creek and Hawkins Creek.

Now, looking at the Bowdens base flow or the base average flow, the 2.6 megaliters per day flow, as of 2 pm this afternoon, the base flow was at 0.14 megaliters per day at this point, which is significantly less than the 2.6 average, and within context to that, you look that we came off a 95% of rainfall year last year for 2022. And the fact we've had 87.4 mm of rain for the 12 day of February, it reflects the comment that I am making about the return of base flows quite quickly and the high peak flows passing very, very quickly. In addition to these points, my third concern is construction water, the fact it's not there. We've spoken a lot about HDPE liners, uh, geo-membrane liners, uh, many of those which were being installed within the coal mining operations or construction activities which I've undertaken.

In order to get the suitable compaction... Do you mind if I finish?

Commissioner Duncan:

Keep going.

Phillip English:

Yep, thank you.

In order to get the compaction and, uh, the integrity of those systems, you need water to assist with compaction. At this point, Bowdens haven't demonstrated they've got that actual water. In addition to that, you look at the production areas, infrastructure areas and placement areas, they'll all need water for compaction. At this point, Bowdens don't have that water and won't have it until the dewatering bores become effective and productive.

The final observation I'll make is that bell press filters have been used for reclaiming water. In my experience, those press filter are absolutely ineffective where there's colloidal material. Significantly, they are used within coal mining operations to retrieve water and recycle water. The colloidal material and the overburden subject to coal where they are used is very, very low. And when it does occur, it caused significant issues in the process areas. I think Mark Twain once said that whiskey's for drinking, water is for fighting over. I think I know where he's coming from.

I thank you for your time and consideration. And just before I go, you can just see the photos in the presentation of the V-notch weir that was installed on Lawson Creek. Uh, and, effectively, that is where the numbers came up for my calculations of that base flow.

Commissioner Duncan:

Thank you, Phillip. Phillip, are you going to document that? Those details you just gave us?

Phillip English:

Yep, yep.

Commissioner Duncan:

And the submissions are open until Friday week, so.

Phillip English:

Thank you. I will do, and, uh, I'll pen the presentation just for reference.

Commissioner Duncan:

Thank you. Thank you very much.

Phillip English:

Thank you.

Commissioner Duncan:

Thank you, and that brings us to the end of day two of this public hearing. Thank you to everybody who has presented today and the effort that you've put into your presentations. Transcript of today's proceedings will be made available on our website in the next few days.

Just a reminder that as I just said the Commission will accept written submissions on the Bowden Silver project up until 5 pm Australian Eastern Daylight Time on Friday, the 24th of February 2023. It is particularly helpful to us if you can comment in your submission at this stage on the assessment report for this project prepared by the department and their recommended conditions. If you can submit your comments or you can submit your comments using the Make a Submission portal on our website or by email or post.

We'll be back tomorrow morning at 10:30 for day three of the proceedings and thanks for your company again today, and we look forward to seeing you all tomorrow and enjoy your evening. Good night.