



**New South Wales Government**  
**Independent Planning Commission**

**TRANSCRIPT OF PROCEEDINGS**

RE: BOWDEN'S SILVER MINE (SSD-5765)

**PUBLIC HEARING DAY 3**

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

COUNSEL ASSISTING:                  DR JAMES SMITH

LOCATION:                             MUDGEET SHOWGROUND MAIN PAVILION

DATE:                                    10:30 AM, FRIDAY, 17 FEBRUARY 2023

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Commissioner Duncan:

Good morning, and welcome to day three 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'm the chair of this Independent Planning Commission panel. Joining me are my fellow Commissioners, Clare Sykes, and Peter Cochrane.

Also, um, the applicant, uh, Bowdens Silver Pty Limited is seeking planning approval to develop the Bowdens Silver mine, an open cut silver, lead, and zinc mine approximately two kilometers north of the village of Lue in the Mid-Western Regional Council area with a total project life of 23 years including rehabilitation. The mine would extract, process around 30 million tons of ore, up to two million tons per annum, to produce a silver/lead concentrate, and a zinc concentrate. The mine would include a main open cut pit, two satellite pits, and mine site infrastructure including a processing plant, waste rock emplacement, ore stockpiles, a tailings storage facility, and ancillary infrastructure. The project would also involve the relocation of approximately five-kilometer section of local road, Maloney's Road, and the realignment of part of 500-kilovolt transmission line owned by TransGrid.

I note the Department of Planning and Environment, in its assessment report, has concluded that the applicant application is approval subject to recommended conditions.

The Commission is the consent authority for the 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 the application. The Minister has asked the Commission to determine the application within 12 weeks of receiving the whole of government assessment report from the Department.

In the interest of openness and transparency, we are live-streaming on the Commission's website today. A full transcript of the three-day hearing will also be published on the Commission's website in the next few days.

Following the public hearing, we will endeavor to determine the application as soon as possible, noting that there may be a delay if we find that additional information is needed.

Written submissions on this matter will be accepted by the Commission up until 5:00 p.m., on Friday, the 24th of February 2023. And you can make a submission using the Make a Submission portal on the website or by email or post.

We have a number of, uh, speakers still today on the schedule. As such, I would ask everybody presenting today to please try and keep to your allocated speaking time. As chair, I will enforce timekeeping rules to ensure everyone receives their fair share of time. However, I do reserve the right to allow extra time for the panel and counsel assisting to ask questions or to hear new information.

I would encourage presenters today to avoid repeating or restating submissions previously made on this application, noting that we'll be particularly assisted by hearing your views on the Department's assessment report and recommended conditions of consent.

Thank you. It's now time to call our first speaker.

Dr. Smith.

Dr. Smith:

Thank you, Commissioner. Uh, Commissioner, I call our first speaker for today, Phil Cameron.

Mr. Cameron, if you could please come forward.

For the transcript, C-A-M-E-R, uh, O-N.

Phil Cameron:

Good morning. Beautiful day.

Dr. Smith:

Yes. If you could just speak into the microphone so those that... Excellent.

Phil Cameron:

Can you hear me okay?

Dr. Smith:

Clear.

Phil Cameron:

I don't think you're gonna have a problem hearing me.

Thank you, Commissioners, for allowing me to speak this morning. My name is Phil Cameron. I object to this project in full. I'm also the owner of a rural holding, holding, known as Wyuna, on the Bara Lue Road. My background is business. I run a sizable business, around 600 million, employ over 200 great people.

We have been told that we will be somewhat impacted. Please let me say, from my perspective, we are 100% impacted as our property of 25 years will never be as... the same, if approved. We bought the property back in '97. It's a stunning setting. This morning, it was absolutely beautiful. We purchased Wyuna with a plan to ultimately retire to... and you can tell by my gray hair, that's not too far away... and build our dream home. Our dreams and aspirations could be destroyed forever.

We are a direct neighbor to Bowdens-owned land, and we have around a kilometer-half of frontage of beautiful Lawson Creek. Are we nervous and anxious? Absolutely, we are. We are very close to the tailings dam and waste rock storage, storage area. We're very close, so close, it's very affected that dust could hit us at any time. We're also very clear... We also have a very clear and unsightly view of the relocated power lines.

To put it in perspective, we're about 750... just working out by the, um, index, by, um, looking at the maps and everything, we're about 750 meters downhill from the tailing dam's edge and the rock storage area, so we're not far. From what I can determine, we are Bowdens' closest neighbor, so we have a lot to lose.

There are three main objections of the mine I want to cover that, hopefully, haven't been covered in the last two and a half days. Our property and future plans would be destroyed. Our retirement dreams are in conflict with this proposal, and we cannot coexist.

Two, the Department of Planning has failed to protect us and the whole community with their inadequate conditions in regards to exceedances of dust and noise, should the mine go ahead. The conditions use the words "reasonable" and "feasible" freely without any real accountability and consequences for failure to adhere. The word "monitoring" must not be used when the trigger action response is required, and harsh consequences for failure to comply with conditions must apply.

Third, DP- DPE have failed to conduct an opportunity cost analysis of tourism, and totally ignored the economic benefit and jobs provided by tourism. All they have provided is giving a one-sided view.

I would like to cover some examples that illustrate now the failure, failure of the DPE's conditions.

Notification of exceedances. As soon as practical and no longer than seven days after obtaining monitoring results showing exceedance of any noise, blasting, or air quality, Bowdens must provide details to affected landowners. And if that exceedance is of any air quality, then they must also provide a brochure, Mine Dust and You. This means if Bowdens discover they've exceeded any amount of dust and poor air quality or lead dust, they must have seven days to let me know, and they're possibly gonna send me a brochure. How is the generic condition allowable for such a da- dangerous project like this where lead and heavy metal concentrates are known to be byproducts of the process?

Visual amenity and lighting, the applicant must take all reasonable steps to minimize. Where are the consequences for failure to comply? From what I can read, "reasonable" is a subjective word, and should not be used in this case. And who decides what is reasonable?

Noise. All reasonable and feasible mitigation is to be implemented to achieve noise management levels. Where are the consequences for exceeding those noise levels? Remember, we're only about 750 meters down the hill from the tailings dam edge. There seems to be no consequences.

Air quality and odor. The applicant must ensure there's no offensive odors emitted from the site... I'm about to wrap up... with the consequences if they do.

All of these are not strict conditions. They're pretty passive in my mind. I can go on and on, but I don't have time here today. The conditions are mostly recommendations, not commitments. They lack enforceable content. These all appear aspirational rather, rather than actual commitments and con- and appears to be no consequences. Use of generic conditions are grossly inadequate and unsuitable for an open cut mine, uh, that has presented so many red flags.

The project appears to have poor and unacceptable planning, particularly in regards to visual and social impacts, which I believe cannot be satisfactorily mitigated. They lack enforceable content, even guidance in this substance. They are not tangible, deliverable, or even likely to be effective, and they do not, they do not address the serious concerns a lot of the community have.

The Mid-Western Council raise concerns in the recent meeting on se- 2nd of Feb- sec- Feb- 2nd of February. Have a look at those minutes. Where red flags in relation to the tailings facility, our Mayor, and I stated, and I... uh, stated and I quote, "taking to consideration the damage and taking the full conditions and consideration the damage long-term that could be done if these tailing dams leaked or overflowed or weren't sufficient, they are good corporate citizens." Good on you, Mayor.

Commissioners, I ask that you refuse this project all for the reasons given by the subject matter experts in the field who have spoken before you and raise their concerns, and at very least, you provide the conditions that are appropriate with consequences. And for a project that presents so many red flags such as this, let me be clear, this project should be refused.

DPE recently said it will achieve balance about maxi- maximizing resource recovery. In the ABC, I read this. It will ma- achieve ma- balance between maximizing resource recovery and minimizing associated impacts to the surrounding landow- landowners. I don't see it that way. My wife and I are the closest land- landowner left that I believe that... and the impacts aren't minimized.

Looking at the power lines isn't minimized. It's maximized to us. Blasting and noisy trucks 11 day... hours a day, six, uh, close to six days, five and three-quarter days a week isn't minimized. It's maximized. Living with a tailing dam just up the hill around 750 meters isn't minimized. It's maximized.

Lue will become a mining ghost town long after the mine is closed. And the environmental destructive damage and poisoning tailing dam, it, it sits idle, waiting for the next big rain period to flush it down to

the Lawson Creek. We have a ticking time bomb for us all. It's a legacy. Is this the legacy we wanna leave?

And finally, the economic stated pote- potential benefit from the Bowdens managing director... I read in the ABC... of just \$150 million over 23 years is not a big business. It's less than \$7 million a year for this huge risk of destroying the surrounding communities and environment forever. We heard from my wife yesterday that just 20 Airbnbs that she researched her own... DPE didn't do it... contribute approximately \$3.2 million a year in generated revenue. If you multiply that by 23 years, it's 74 mil, 73 mil. Let's weigh this up. You got a mining destruction with many red flags, with no consequences at 150 mil. You got 20 small Airbnbs, researched by my wife, so... she got a legal background, she knows what she's doing... of clean clean, existing, and socially acceptable economic benefit. 150, destructive mine; 74, clear existing, thriving Airbnbs. Imagine all those other businesses out there if you include it.

DP- DPE should have had a balanced view. We would have then had a true opportunity cost to compare, basic methodology and process you do in economic benefits... to determine economic benefits. DPE have given a one-sided and unbalanced view or DPE have looked at, in my opinion and reading everything I've read, is that they look the Bowdens' upside, so-called upside, unproven so-called upside, and not the downside. It's not balanced.

I believe strongly the Bowdens Silver zinc and lead mine should be rejected.

Thank you for the opportunity to speak today, Commissioners. I wish you well. It's a tough decision. We, obviously, hope you make the right decision. Thank you very much.

Commissioner Duncan:

Thank you.

Dr. Smith:

Uh, Commissioners, I call our next speaker who is Sonia Christie.

Ms. Christie, if you could come up.

C-H-R-I-S-T-I-E, for the transcript.

If you could please come to the podium and provide the Commission with your submission.

Sonia Christie:

Thank you. Appreciate that.

Hi. Um, my name is Sonia Christie. By way of introduction, I'm a mother of three. I'm a registered nurse working in primary and community health in our local community. I'm chair of Watershed Landcare. I run a family-owned grazing property with my husband, eight kilometers from the mine. I have, 'til recently, represented the community on the Bowdens Community Consultative Committee for over six years, and I was also on the CCC for the previous owners, Kingsgate, prior to this.

Of all these roles over the years, I think volunteering as a community member on the CCC has been one of the most stressful and emotionally tumultuous. It's been like watching a train crash in very slow motion coming for Lue. The early meetings were spent trying to contribute to what I assumed was an exchange of ideas, compromises, and suggestions. Frustrating too was taking our notes as a draft minutes were never reflected in actual meeting. Our notes were later painstakingly adopted into the minutes in an- an attempt to reflect the dialogue.

We had the dramatic event of two community members barred from a meeting by the proponent. This arose from asking for clarification of details the proponent was either unable or unwilling to provide,

which is described as disruptive. Thankfully, after much correspondence, DPE intervened and, in December 2017, they appointed an independent chair and minute-taker. Meetings were certainly well-chaired with less volatility, and more accurate minutes. Sadly, by this stage, we realized that it was not really an exchange of information and compromises, but a tick box exercise which the proponent used community members as a convenient source of local information. The chairman and the CEO no longer deemed it important to be in attendance.

As a CCC community member, I was often surprised by major announcements made within a day or two of these meetings, of which we had no idea. I'm also not sure if it's common strategy by proponents to firstly omit, omit important and often controversial elements from the EIS. I need to reintroduce them, um, to later amendments when the community's attention is diverted.

I am of course referring here to water. After a very long drought, I'm sure pro- the proponent was aware how sensitive this issue was to the community, not just locally, and that the pipeline, mostly a desktop survey in the EIS, suggests it was purely a distraction. It was like a slap in the face each CCC meeting, my naivety soon gone, and then dealing with how monstrous this project would be for Lue and the Lawson Valley. I, along with others that attended the CCC, came to realize that as the information rolled out, it was certainly not as Bowdens glossy brochures portrayed.

Our beautiful Lawson Valley, as we know it, would exist only as an industrial hub, a lunar landscape of dust, noise, vibration, blasting, bad roads, and traffic. As you've probably noted, uh, Lue and the Lawson Valley are not easily defined. It is not solely agricultural, not solely lifestyle, not solely tourism, but it is a combined diversity of all of these that makes it such a successful and popular place to live. It is this mix of old and new that has attracted young families, retirees, and everyone in between.

In April 2013, Mid-West Regional Council showed great foresight and held a meeting in Lue called A Conversation with Lue. The purpose of this report was to provide a summary of the outcome of a community consultation evening to inform council of the views of the Lue community. This was to assist the council in future management of the area and negotiation of potential change in the Lue community. The major theme that came out of this meeting was that Lue valued the current sense of community. This was encapsulated by such feedback as keep change to a minimum, keep community spirit, and pride in where we live. There was a significant emphasis on maintaining the current safety of the area in both terms of potential social impacts as well as environmental threats, such as pollution of both air and water.

Uh, whilst the community clearly identified the desire to retain a strong and sustainable schools, the general indication was that growth should be kept to a minimum, with any growth well-planned, and have minimal impact on the character of the area. I'm thinking that this mine, certainly, does not fit this brief.

I will leave you with a copy of council's, uh, full report remembering, in 2013, Mid-West Regional Council had no ulterior motive, and ran workshops with other villages along the same lines. If the new-

Sonia Christie:

... ran workshops with other villages along the same lines. If the New South Wales government's vision for Ue is a lead mine on our number two tourist drive, then it should be clearly articulated as such, with transparency and an honest conversation. Conditions of consent should require that the proponent offer voluntarily acquisition contracts to everyone in the village and surrounds, at current pre-approval market prices so that those that decide at any stage that they cannot co-, cope with either the noise, dust, light, poor health, vibration, bad roads, and traffic can enact these contracts.

A get out of jail free card you might call them, rather than face the appalling slow, painful decline that we have seen in other similar villages dealing with mining that, that, that they've had to endure. After six owners over more than 30 years, one being Rio Tinto, they all ral-, realized that this mine was going to have major technical issues too difficult to overcome. It's like pyramid selling. These guys happen to be the buyer at the bottom of that pyramid.

I have come to understand that here we have an exploration company attempting to become a new mining company, which is then again attempting untried technologies all in our beautiful, tranquil valley, with management plans not yet submitted and constantly moving goal posts. Because neither the proponent nor the Department has done the necessary homework to present to you the essential details and information that have put you in a difficult situation, making it impossible for you to make a decision.

As you well know from experience, you are not just approving a mine. You are also making a decision about the vibrant lives, livelihoods, of generations of families who live, work, and socialize here and whose lives, livelihoods, and social interactions could be forever changed. It has been a long, hard road, to raise community awareness about this mine. Um, without which, we would not be having this hearing today, allowing the community to have their say.

This has only been made possible by the diverse range of dedicated residents, their families and their friends. I consider myself privileged, at times surprised, always in awe and so appreciative to the amazing people who have taken valuable time away from their families and work to pull out all stops to protect our community. Some falling victim along the way to burnout, stress, and anxiety. To all of those individuals, I say thank you. Thank you.

Commissioner Duncan:

Thank you, Sonia.

So-, Sonia, as you're leaving, uh, are you making a written submission as well? Thank you.

Dr. Smith:

Uh, Commissioners, I call our next speaker who is Thomas Purcell. Mr. Purcell, if you could come forward? For the transcript, P-U-R-C-E-L-L.

Thomas Purcell:

Good morning. Uh, thank you Commissioners for your time and consideration of my submission today. My name is Thomas Purcell, and I'm providing this submission to register my personal support of the Bowdens Silver Project.

I'm an environmental scientist and have worked for over six years as environmental officer with Bowdens Silver. I'll focus on a few key points today, and provide further detail in my written submission in the days to come.

Regarding the DPE's assessment report and the strategic context of this project. I grew up on a property without grid connected power, relying on micro hydropower production and in more recent years, solar panels with various battery storage systems and fossil fuel powered back up generation. I've seen the progression of low carbon power production, and firmly believe that this is the future. Not only to reduce our carbon footprint and deal with the effects of climate change, but to provide cheap, mobile and simple power generation for all people.

I'm excited to be involved in a project that provides the raw materials for this industry. I hope that Australia can continue to be a world leader, and begin to increase the post-mining, refining and

manufacturing industries. The many uses of silver are well known and have spoken about at length during presentations throughout this hearing. I'm particularly excited about the advancements in zinc-ion battery technology, including zinc bromide batteries which are now being produced at the Gelion facility, in Fairfields, Sydney. Leveraging production efficiencies by working in tandem with existing lead acid battery production facility to provide batteries with similar energy density to lithium-ion, but much improved safety due to the fire retardant properties of the water or gel electrolyte used.

The expansion of these industries, supported by the production of raw materials in Australia, will allow us to adapt to the changing economics of low p-, carbon energy network. As we move down this path, these materials will grow in importance. Regarding the DPE's findings that the project has been designed to avoid and minimize the disturbance of native vegetation as much as practicable, and that subject to conditions the project could be undertaken in a manner that would result in acceptable short-term impacts on biodiversity values and the proposed offsets would pr-, result in improved biodiversity outcomes in the medium to long-term.

As an environmental scientist, my passion in this field is resource management. That is the sustainable use of natural resources and rehabilitation of ecosystem function in disturbed and degraded areas. Much of the disturbance footprint of this project is located in areas that from a native ecosystem perspective, have been heavily degraded due to historic land uses. Through the Biodiversity Offset Scheme, these areas are assessed and offset into the future.

The proposed Biodiversity Offset Scheme will add to over 43,000 hectares of land currently set aside in perpetuity for the protection and improvement of biodiversity through stewardship agreements. The ongoing management of these areas is supported by the Biodiversity Conservation Trust, which allocates funds collected from the purchase of credits and oversees the completion of work on offset areas to improve biodiversity.

I note that DPE has rec-, recommended conditions B67 F and G, that amenity screen planting is completing along Pyangle and Powells Road, shielding views of the waste rock in placement. I welcome this condition, as this work is well advanced, with staff currently focused on the propagation and planting of mid-story species in existing areas to improve screening properties and propagation and planting of canopy species in the area targeting the view along Powells Road.

The mine site will be rehabilitated to achieve a sustainable final landform, to be used for agricultural purposes and enhance biodiversity values in the area, while delivering appropriate rehabilitation outcomes subject to the oversight by the New South Wales Resources Regulator. The improvements to biodiversity in offset areas, and the rehabilitated mine site, along with the amenity screen plantings along the riparian corridor of Hawkins Creek will leave a legacy of increased biodiversity for generations to come. I've seen first hand the way modern mining operations prioritize safety and environmental performance in every aspect of their operations. Bowdens Silver is no different.

I'm proud of the work done to date to ensure this project is designed with as little impact as possible, and I look forward to seeing the site develop. Australia and particularly New South Wales is the best place to conduct mining in the world. Mining businesses and government departments responsible for the oversight of these operations are sophisticated, well-funded, and focused on continually improving methods to protect the environment and to keep people safe, while producing the raw materials we require now and into the future.

I believe we have a social responsibility to ensure that recovery of those materials does not cause environmental and social impacts, as can happen when they are obtained from projects located in areas where the approval and management systems are not as sophisticated, nor well-funded. The Midwestern region, including Rylstone, Kandos, Mudgee and Gulgong, along with the surrounding villages, is a wonderful place to work, live, and raise a family. As I'm sure that any resident would attest.

I support DPE's findings and firmly believe that the conditions of consent and commitments in the EIS are appropriate and achievable. They will ensure that this project produces in a safe, sustainable way, and leaves a lasting positive legacy, legacy, in the area. Thank you.

Dr. Smith:

Thank you, Thomas.

Uh, Commissioners, I call our next speaker who is David Parry-, uh, Okene? P-A-R-R-Y - O-K-E-D-E-N.

Uh, David, are you here?

audience

He is here

All right. Uh, we might, we might come back to, um, David. But as David, um, mentioned present, so David if you could provide your submission and then? We'll carry.

David Menchin:

Uh, good morning and thank you for allowing me to address the Commission. Uh, I just wanted to say that my family is also a long-term family from the Mudgee region, five generations of farming families, and diversifying into other areas.

Uh, I also want to say that I don't have a, a factual report to give to you. But what I will say to you is what I believe to the truth and as, and as honest as I can be with you with what I know.

Uh, my family has, uh, my grandmother was born in Lue. She was a Cyprus, and, uh, I have connection with that area for some time. I just became aware of the Bowdens project because I own a block of land, uh, seven kilometers from Ulan, and the proposed water line would have gone through that block of land, if it does go ahead and the proposal goes ahead.

My block of land that I'm building on is two kilometers from the portal into the Moolarben Coalmine. I had a lot of worry and a lot of concern about water quality, about air quality, and about the environment. About when the Moolarben mine was proposed and put forward. I sat down last night after I'd listened to people speaking here yesterday, and I considered what I think the impact has been on my block of land. Which is two kilometers from the portal, and all of that ground has been cut back with, uh, with heavy machinery to open up their, uh, open cut mine.

I can't think of a single time where I have, where I've raised my hand from a piece of equipment or from, uh, anything, with the in-, with an indication to me that I am receiving coal dust onto my property. And I believe that is because of best practice. The guidelines that are put in place, the requirements that are put in place, to take care of the environment, to take care of the people around, are best practice is what I think is, is controlling that situation. I don't have dust problems on my property, two Ks from the open portal.

I also listened to one of the speakers yesterday talking about, uh, the Mudgee abattoirs, which is now a scar on the face of the Wilbetree Road. And I heard him speak about the fact that, that he wished his father hadn't have supported that. I'm here to tell you that that abattoirs was the mainstay of employment for this town long before tourism came along. Thousands of people worked through that abattoirs, hundreds at a time. My first paying job out of school was at that abattoirs, as was many other people.

Now, the sale of that abattoirs may not have stipulated what needs to be done with what's left there, but that's not the problem of the people that built it and employed all of those people for all of those years. Um, when the min-, when the, the grapes came into this area and took over large tracts of, of

usable, um, stock, grazing areas, there was great concern about the sprays and the pesticides that were gonna be used. There was great concern about the amount of water that was going to be used with those vineyards.

Those concerns, and people, people who lived next to those grapevines and next to those vineyards, were worried about their, their health and quality of their life with the intense pesticide spraying and herbicide spraying, tons of it into the air, into our ground. Those things have been set aside and handled by best practice. They've been handled by new recommendations and new requirements for what you can and you can't do.

I believe that in this day and age, if you wanna try and cut a tree down on your property the red tape that you go through is ridiculous. There, there's so much in place now to control these type of things. And I wanted to talk also about, I heard another speaker say yesterday that she thought that Kandos and Rylstone had all of the jobs that they need. Mudgee and Golong's done very, very well out of these. Out of the mines out here.

The, uh, the population in Mudgee and the, the, uh, value of Mudgee has increased dramatically because of the, and the money that came through the mines. When the mine opened at L-, at, at Ulan, that was when Paul Keating said that we were in the recession that we had to have. Mudgee didn't go through that recession. Those mines carried Mudgee through it, and instead of going backwards it prospered.

Now, my understanding is that most of the school-leavers from Kandos, Rylstone, have to leave the area to gain employment. Which I don't think is reasonable, there's people who have come into this area and they've, they've been able to get their wealth in areas and do different things and they're set themselves up with what, with what they wanna do. But these other people, these children, these young people, they deserve their opportunity as well. They deserve to have something that they can do in their area which is gonna sustain them and is gonna be of great value to them and get them off on the right foot.

Um, like Mudgee for instance, with engineering, cladding, automotive, fabrication, accommodation, food chain, advertising, social club support, trades, structural, accounting, legal, clothing. These are all things that are going to, uh, are going to come from the investment in-, into this mine. These are all jobs that are gonna be local for Kandos, Rylstone, and that area.

I personally was going to seek employment at Bowdens, but it's too far from where I, I'm building my house. But in the entire time that I've been associated with them, and I did work with them for three months leading up to Christmas of 2021. I've always observed that in every aspect, it was best practice. It was the way that things were meant to be. They're a good employer, they're very, very good with their employees, and everything that I've seen personally was done the way that it's supposed to be done and in the letter of regulations and the law. Thank you.

Commissioner Duncan:

Thank you, David.

Dr. Smith:

Um, thank you. Commissioners, may I just call upon again then David Parry-Okeden. You, ah, excellent. Thank you, David.

David Parry-Okeden:

Uh, good morning. My name is David Parry-Okeden. I'm a qualified veterinarian and I have, uh, practiced in the Mudgee and Rylstone district since 1970 and have witnessed the effects of lead poisoning on animals over the years.

My professional life, apart from two years being drafted into the army for national service during the Vietnam War, has been completely concerned with the health of pets, farm animals, and wildlife in this area. I believe that I am particularly qualified to address this subject.

I am concerned that the widespread lead, lead contamination environment will incur in times of floods, droughts, and bush fires, and that this will particularly affect not only human health but also the animal health and welfare. I try-, I will try in the short time available to give an idea of the animals in this district and the extraordinary relationship that develops between a veterinarian and their owners.

On Wednesday, I listened to Tom Coombes make an emp-, uh, impassioned plea to this Commission. I recalled an occasion a few years ago when I was assist-, he was assisting me performing a caesarian operation on one of his cows that couldn't deliver a calf.

As we labored in this cattle yards in a cold winter's night, down to our shirt sleeves, he turned to me and said, "Doc, aren't you getting a bit old for this?" Actually wor-, those weren't his exact words but you get the drift and he was probably right.

In my presentation I'd like to consider four categories of animals that are affected by contamination, lead contamination. Firstly, domestic pets. Second, wild an-, farm animals and livestock, thirdly, wild animals and fourthly, wild birds and waterfowl. Although I stress I'm not an expert on birds. Fifth category I would like to address is bees, and I think probably the most important. Most small animals and domestic pets have a shorter lifespan than humans and therefore show signs of daily lead contamination earlier in their life. Many animals, particularly cats and dogs, groom themselves regularly and wh-, as, as a result, will ingest proportionally more lead on a daily basis than ind-, individuals that did not lick their fur. Symptoms range from gastrointestinal problems to brain damage and painful death.

Young puppies and kittens are particularly ac-, susceptible. I learned yesterday that two litters of puppies were born near Lue in the last few days. In addressing farm animals and livestock, um, I might add that we rarely see cases of lead poisoning in farm animals these days. Farmers no longer throw the batteries down the gully, lead paint is no longer used in barns where animals become attracted to the sweet taste. And as a result, we rarely see mad cows and herds suffering from gastrointestinal sys-, symptoms that we used to see occasionally when I first started practice.

What I would like to address is the problems that we're gonna have with marketing our beef and mutton. Government agencies are now more aware of the untoward results of lead residues in our meat products, and work with farmers to produ-, to prevent that, that, uh, problem. Many of my clients produce quality beef particularly for export and selective grass fed domestic market. We heard yesterday from Jack White, who said that he has problems filling out his livestock product assurance and national vendor directl-, declaration form where he has to tick a box saying that he hasn't got contamination. Um, I will put a copy of that form in my, uh, in my submission, uh, so you'll have access to it. It's quite involved but it's, uh, it's clear enough.

Thirdly, wild animals. I've yet to see a fence that can keep a wombat out, but maybe they've developed one that I don't know about. Wild animals are partic-, and particularly marsupials, cannot be contained or prevented from grazing close to an area of maximum contamination. Such wildlife would be us, much prone, to higher levels of poisoning.

When I first became a veterinarian 50 years ago, there was little consideration given to the health or suffering of kangaroos and other marsupials. However, there are now many people in our more

enlightened society, both in Australia and overseas, that take these matters much more seriously. So I won't dwell on that, but it, uh, speaks for itself.

Uh, uh, wild b-, wild birds and waterfowl will drink from the, uh, from, from any water and they will seek out the, the sweetn-, sweetness of lead. I'll just skip briefly to the subject of bees, which was brought to my attention by Mark, Professor Mark Taylor. And I think this is probably the most damaging and, uh, potentially, uh, damaging area for lead contamination of our district.

Without bees as p-, cr-, as crop pollinators, much of our agricultural production becomes severely compromised. Especially in the cherry, in the cherry orchards. Bees have been known to reproduce with smaller heads which leave to cognitive impairment and memory loss and results in bees not being able to find their way back to the hive. In conclusion, I would just like to, uh, to bring up, uh, one small topic which may or may not be appropriate here. But we all remember Shakespeare's play, The Merchant of Venice, in which the merchant Shylock demanded his pound of flesh. It has been claimed that the proposed mine will not contaminate the environment. May I suggest that if this license is granted, the conditions be set for the establishment of a contingency fund to provide for closure and compensation if this is proved not to be the case?

Events that could trigger this closure and compensation might conta-, include any animal, domestic or wild, was found with blood levels. Any humans, including the babies and families of persons working in the mine that show blood lev-, levels. Any bees found with small heads or suffering from cognitive impairment due to lead poisoning. Any on farm contamination which prevent an owner from signing the NVD form. This alone would amount to huge sums of money. The prices of Angus Bull sold recently from Lawson Creek farm alone exceeded the national records. And I might add that the origin of lead contamination in any of these samples can be confirmed with isotop-, isotope poisoning.

Shylock was not offered his pound of flesh, but was certain, was offered his pound of flesh but with certain contingencies. Let's hope that not one drop of blood is affected by the proposed mine. I'm prepared to take questions and I will be, I will be, uh, submitting this in a rec-, written examination along with the, uh, bibliography of, uh, scientific papers that relate to this, uh, this subject.

Dr. Smith:

Thank you, David.

David Parry-Okeden:

Um, there's just one thing. Dr. Smith, you addressed a question to, uh, Professor Taylor on Wednesday which he said he wasn't able to, uh, to answer. I, I don't recall a question but if I can help by reviewing the literature, I'm not the, not the expert of Professor Taylor, I'd be happy to take that question.

Dr. Smith:

Uh, yeah. I, written submissions are open until the 24th of February. Uh, so it's certainly open between yourself and Professor Taylor to address that question, and the question is on the transcript to assist.

David Parry-Okeden:

Thank you, thank you.

Commissioner Duncan:

Thank you, David.

Dr. Smith:

Uh, Commissioners, I call our next speaker which is William Brown. Mr. Brown, are you present? Thank you, sir.

William Brown:

Thank you Commissioners. It's, um, very rarely I get called William. Only when I'm in trouble, most of the time. But let me tell you, I do feel like I am in trouble.

And it's not from my own fault, but it's I'm in trouble with this proposed plan. My western boundary of where, my property is four kilometers from the eastern boundary of Bowdens. So there is no doubt that I will see it, breathe it, smell it, hear it, feel it. And to rub insult into injury, Bowdens have offered me money for compensation for a power line they wish to put through my place. There'll be more on that later.

I'm a sixth generation farmer in the Rylstone Lue area, and I have two businesses. I have a real estate business, which is subsidized by my livestock business. So, land and stock. I combine, combined the two to call it a grazing business. My mantra is that I, I live as if I die tomorrow and I farm as if I live forever.

My main principle of grazing business is to aim for 100% ground cover, 100% of the time. And I have managed this landscape that I live on for the past 30 years. When I first took over, uh, when I first became partner with my father in the farm, he'd organized with someone to have a sand extraction sideline on our place, digging sand out of the Breakfast Creek. It was something I didn't feel comfortable with, so as soon as I had the ability to do so I, um, I certainly stopped that to, um, I got much ridicule from family and friends for doing that but I certainly felt very comfortable because it didn't fit with my values. The observations I made once the, uh, extraction business was stopped was quite incredible, in the sandy creek of Breakfast Creek. The, um, where the excavator was taking the sand out, it wasn't where the erosion was happening. The erosion was happening one and a half kilometers upstream, to fill the sand into that hole. I believe that's called zigzagging. Not loud enough? Ah.

Commissioner Duncan:

Thank you.

William Brown:

Okay. Sorry about that, fellas.

Yes, so my observations of the creek continue. And, um, well, I have four kilometers of Breakfast Creek. And within that, I also have a swamp which is the phragmites Swamp and it is, um, about 40 acres. I call it my filter, and it's certainly like the kidney of, uh, the creek. Well, though, it's a very important part the, um, back to the observations of the creek.

From being just a sand creek, it is now full of phragmites, uh, reeds and intermittent water holes. Although during the 19, uh, 2019 drought, the four kilometers of Breakfast Creek was completely dry.

Um, where Breakfast Creek meets Lawson's Creek is on my place, and at that point there was a salt scald. And over a period of time, and my grazing management, I've been able to reduce that salt scald, scald. And, um, to ... Uh, there was educational people coming out to view the salt scald but they actually drove straight past it because they couldn't find it. So, that gives me, it gives me great happiness about that.

So, Lawson's Creek starts, um, joins Breakfast Creek on my place and I can see from that junction the, um, start of that Lawson's Creek area up at Camp Hill. I've spent the last 20 years trying to repair the

riparian area of the creeks, and, um, by reducing stock density at certain times and with the idea that I want the water leaving my place to be in a pristine state.

It's been very meaningful work, and I'm proud of my achievement with this reduced turbidity and salinity of the water. But it gives me great grief that all this nurturing is so that it can be used to create a toxic slurry and suppress dust on a mine site.

The word Bowdens isn't on everyone's ... Mind, and we see it when we go to, uh, certain things in town. I don't think you need to be worried about the word Bowdens. I think the word Bowden will be as, um, well-known as the word Chernobyl. On the tw-

William Brown:

On the 26th of April in 1986, when the explosion of Number 4 Reactor, after that time, Chernobyl is world-renowned. The two factors that caused the Chernobyl accident were bad planning and human error. So Commissioners, we've been listening to the pl- you will be reviewing the planning of this plan in front of you, so I'll leave that up to you. But for, if you could just take a moment to think about human error. Is this plan subject to human error? And that's a decision that you need to make to give this plan the go-ahead. I'm just gonna finish. If you grant approval to the proposed development, it will be the second time in Lue's 200-year history that the occupants of the Lue area will be forcibly removed by government policy. Thank you, any questions?

Commissioner Duncan:

No questions, thank you, William. Uh-  
location of this property.

Okay. William, when you, when you make a submission, could you just give a, an accurate location of the property for us?

William Brown:

Yeah

Commissioner Duncan:

Yeah. Thank you. Thank you. Mm-hmm.

Dr. James Smith:

Uh, we did have a break scheduled, but we have three more speakers, um, f- with a five-minute allocation. So if Allan Waters is here and is able to speak, um, at this moment we might call upon Mr. Waters. Um, otherwise, uh, Debbie Robinson, and finally Tom Combes. If either of those people are here and wish to address the commission now? Otherwise, we'll take a short adjournment, um, and come back to their allocated time.

Sorry, sir. You're ...

Certainly. No, of course. Uh, so on that basis we'll take a short adjournment, and we will resume at, uh, 11:40. Thank you.

Right. Thank you, everyone. And we are resumed. Um, we're after Allan Waters, either by telephone or in person. Mr. Waters, if you're here, uh, we invite you to come forward to provide your submission. Um, while we're waiting for Mr. Waters, uh, Debbie Robinson, if you could please come forward. All

right. Our next speaker is Tom Combes. Tom, if you could please come forward. Thank you. Um, after Mr. Combes, we'll have Mr. Armstrong as our, um, next speaker.

Tom Combes:

Good morning, Commissioners. Can everyone hear me okay?

audience:

Yes.

Tom Combes:

Thank you for allowing me to speak, to speak. I'm back today as a farmer, a business-owner, as a captain of the Lue Havilah RFS. I'm a past president of the Lue PNC. I'm the past president of the showground. Lue Station is a 5,000 hectare property that is operated by the Combes family since 1923. Reliable, and sustainable. We also operate the Louee Enduro and Motocross Complex. This hospitality business attracts 15,000-plus visitors to Lue every year. We have 76 guest beds on site in accommodation, and camping for up to 80 guests. Other local accommodation and B&B are our lifeblood to us as we are to them.

The Motocross business has operated for 30 years locally, two kilometers south of Lue village. I have significant local knowledge about managing noise, dust, and water, and our record-keeping is comprehensive and accurate. The Bowdens mine, in this form, is simply not compatible with the current local land uses. I do hear the faint sigh of support f- but the reality is that nearly all of the Lawson Creek Valley, those that live there, and operate business there, those that will be potentially impacted don't support it. And you heard many of those over the last three days.

Many residents, or business, has spoken against the project. Further, farmers, doctors, veterinarians, health workers, environmental specialists, viticulture and tourism representatives, Aboriginal representatives, intelligent and highly respected persons in our community are opposed to the project.

I was a member of the CCC. And while representatives of the Lawson Creek community were jumping up and down, Bowdens Silver ignored us and plowed on with their plans for a conventional methods mine. Bring in the explosives, blow it up, dig it up, put it in a truck, process it with an amount of chemical that is just ridiculous, suck all the water out of the place and contaminate it, leave a big hole, sweep the rest under the carpet. We'll put a tarp over it. And then they called it best practice.

The consultation with the local community, which should have led to innovative and cooperative solutions has been totally unsatisfactory. The DPE has recommended, on balance, to approve with conditions. Much of the assessment fails to address the issues. And we've got it in spades. I'll give an example that the DPE recommends that if water is affected, compensatory water must be supplied. How? And where from? And when? That is not a practical solution for anyone. It is a band-aid that totally fails to address the water issue for both the affected surrounding landowners, and the proponent. These kinds of solutions totally erode public confidence in the system.

The community know the water-modeling is flawed in the first place. And I can tell you from my personal experience, that the water requirements for the mine cannot be met from these sources. It just isn't there. And all the water-balance tables are not supported by local data. This means the Cs have not been met. Key viability determining components of the mine have not been properly identified.

And I think what we have learnt, and how, and now have a major concern about, is that the DPE is following the government's policy to encourage mines rather than its obligation to itself, and to the community, to properly assess the application. In doing so, it's put both the community and the

government at risk. The risk is to clean up the mess and compensate the affected. It looks like, and I believe, the IPC has been thrown a hospital pass. I recommend that the suitable action in this case is a refusal. I believe the applicant and the DPE be told to go away and stop wasting everyone's time.

After seven years, Bowdens have had suitable time to provide solutions and address the primary concerns and problems, and they haven't. They have continued down the line of condens- conventional mining practices. They've ignored the potential impact, and have provided no solutions. Blind Freddy can see that the numbers and the plan is flawed. They failed. They had their opportunity to get it right, and they failed.

This is a greenfield area, right next to a village. And while the company brags about how it is the largest undeveloped silver deposit in Australia, and one of the largest globally, they cut corners. Penny-pinching, and claiming things were too hard. It was too hard to do the right thing. The real positive in this, is that if the project is refused, the silver will stay there. It's not going anywhere. And I guess sometime in the future, a bunch of smart people will come along with smart ways to get it out. To get it out without taking all the water, without impacting on those around them, and without polluting the environment and leaving a mess behind them. At the same time they'll produce secure jobs, royalties for government, and wealth.

Commissioners, that was basically the end of my speech. And I, I know, uh ... I, I don't know whether you would like to hear this, and it's not my job to provide solutions, but I do have, um, some conditions that we've talked about over the years, and I wonder whether you would like to hear those now? Or you would like me to put them into a written submission?

Commissioner Duncan:

How I- how long do you need?

Tom Combes:

Uh, three minutes?

Commissioner Duncan:

Go ahead.

Tom Combes:

Commissioners, if an approval was given, strict conditions should be imposed by the IPC, with severe penalties for non-compliance. No warnings, no slaps on the wrist, no band-aids when it happens, and give power to the CCC. The first point is noise, and it's a major destroyer of communities. My business operates 9 till 5PM for outdoor activities. And minimum noise levels outside these hours are extraordinarily low in Lue. Therefore, only outdoor mining operations between 9AM and 5PM. If it's good enough for my business, it's good enough for the mine, and it is not an unreasonable, um, um, condition considering, considering their location to Lue, and it should never be amended.

The second, an external water source of 100% of requirements of high security water to ensure ongoing production for them, and water security for their neighbors. Possibly a water source for Lue residents, now that's a real winner.

Three, prevention of the possibility of airborne dust by enclosing the mine site. Filtering the dust while operating underground, and covering.

Four, preventing acid mine drainage. And it can be done by characterization and treatment. Any acid-producing material, rock, or tailings, can be fully neutralized by reacting with caustic soda. Caustic soda

can give 100% neutralization. There would need to be a treatment plant, and then the material needs to be buried underground below the water table. It happens in other parts of the world, it is not an unreasonable condition, and it is the only known way to prevent AMD.

Five, build a decent road to Lue, to assist the increase in traffic, and widen it with overtaking lanes.

Six, double-wall the tailings dam and provide 100% containment IE. two dams in the case the top one fails. Zero risk, no seepage, no spillway. Another alternative is, is take the ore away and process it somewhere where it can be managed appropriately. And I have ideas about this, but time is limiting now.

Seven, fill the void. Repair the damage and return the landscape back to its original state. Glencore, one of Australia's largest mining companies advertises that this is the re-responsible thing to do. Impose the condition, ensure a bond is sufficient to carry this out.

Eight, I don't have all the solutions for biodiversity, however the prode- protection of koala is paramount. And biodiversity offsets must be net gain, not net loss. Aboriginal sites, visual issues, and many others need heavy conditions imposed. I ask you to raise the bar.

Nine, compulsory acquisition for those wishing to leave within a distance. I suggest that be five kilometers, maybe more. But there be no questions asked. Not years of trying to prove impact. It should be an, "I want out." Value the property, and then double the price, and done. You've got to recognize cultural heritage.

So I'm not suggesting that these are all the solutions, but they may go some way to addressing some of the key concerns if you did feel that you had to approve the project. Thank you.

Commissioner Duncan:

Thank you, Tom.

Commissioner Duncan:

Thank you, Tom. No, that... W- no. No questions at this stage. Thank you.

Dr. Smith:

Uh, thank you, Commissioners. I call Corey Armstrong.

Corey Armstrong-Lane:

Good morning, Commissioners, and ladies and gentlemen. My name is Corey Armstrong-Lane, I'm 19 years-old, and I grew up in the Mudgee, Rylstone, Kandos area, and I've been living in the area my whole life. The reason I'm up here today is to speak about the employment opportunities and what Bowdens Silver will provide for the future generations.

As a young person growing up in the area, I know the struggles of employment and just leaving school without knowing what you want to do as a career, and mining is the perfect opportunity. I work at Moolarben Coal and- and have been on the open cut for the last year as mobile plant mechanic, as an apprentice- uh, as an apprentice before making a transition to the underground department.

I love my job and the people I work with and this is what I believe a young person should be able to experience coming into the workforce. Being in a rural environment, Bowdens Silver prov- provides these opportunities while being close to our homes that we have grown up in, and saves leaving our home to begin our training. Bowdens Silver will also provide financial and work stability for the younger generations, skills and learnings that they can take with them for the rest of their lives, and to any other

work opportunities in mine sites around Australia, even the world. Bowdens Silver will also provide financial and work stability for the younger generations. Oh, already said that. Whoops. In conclusion, I believe Bowdens brings work opportunities, financial stability, and world class training that gives a younger generation the opportunity to flourish in a promising, stable industry. Thank you.

Commissioner Duncan:

Thank you, Corey.

Dr. Smith:

Now, thank you, Commissioners. Next, on the telephone, we do have Allan Waters. If we could patch in Mr. Waters now. Are you there?

Allan Waters:

Good morning.

Dr. Smith:

Excellent. We can-

Allan Waters:

Yeah. Sorry.

Dr. Smith:

Ah, yes, Mr. Waters, we can hear you. So please proceed.

Allan Waters:

Good afternoon, Commissioner. Thank you for hearing me today. Today I am in support of the Bowdens Silver project. My name is Allan Waters. I am from the Hawkesbury and have been living in Lue for the past five years. I have a wife and three kids. My two oldest attend Lue Public School. I have worked in agriculture, hardware, and currently work offsite in a drill rig at the Bowdens Silver project.

If I do not have employment at Bowdens, I can honestly tell you I am not sure where I would work. Work at Bowdens provides my family with an income that allows us to live comfortably and enjoy life. My children enjoy learning to ride dirt bikes, arts and crafts, and playing sports, which is cricket in summer, soccer in winter. My main reason for supporting the project is that it will provide employment opportunities for the younger generation of local children.

Bowdens has often supported Lue Public School with funding to give children additional equipment and provide educational opportunities that they would have otherwise missed out on. When my children and their classmates finish high school, I would like them to have the same opportunity to work locally like I do. If approved, the Bowdens Silver mine will provide them with this opportunity. Thank you for your time.

Commissioner Duncan:

Thank you, Allan.

Dr. Smith:

Uh, thank you, Commissioners. We're- we're slightly in front of time. I'll just do a final call for Debbie Robinson, um, if she's been able to join us this afternoon. Otherwise, uh, we'll now move to Nicholas Warren. Uh, Mr. Warren, if you can approach the podium. Thank you.

Nicholas Warren:

I think it's okay. Uh, thank you once again for the opportunity to present to the Commission. For those who may not have been present on day one, my- my name is Nicholas Warren and I am a principal consultant at RW Corkery & Co. Our company prepared the OS for the Bowdens Silver project and oversaw the technical assessments commissioned for the project.

Before I get started, I'd like to thank the community and the Commissioners for their contributions to these hearings over the last few days and throughout this planning process. We've heard a range of different views and I'd like to take this opportunity to respond to some of the more technical issues and queries that have been raised. And of course, we will be providing further detail in our written submission.

Firstly, I wanted to address comments that Bowdens Silver has not addressed the Secretary's Environmental Assessment Requirements, or SEARS, with regards to water quality. This was raised by our systems, who noted that- that a water quality model was needed to ensure that water captured within the site was fit for purpose. As no water from areas disturbed by mining would be discharged from the mine site, this requirement only has relevance to water used in processing and water- and a water quality model is not necessary for that assessment. Our response to Earth Systems noted this and the matter was not raised in further correspondence.

Bowdens Silver notes that the only identified potential risk to water quality has been from TSF seepage. This was thoroughly assessed in Appendix 10 of the groundwater assessment, and the results are also presented in table 3.1 of the submissions report. The results demonstrate that there would be no impact to quality in Lawsons Creek, nor change to the beneficial use of this water. Nota- notably, there will be no change to existing concentrations of- for lead in the waters of Lawsons Creek. This assessment was also subject to peer review and has been accepted by DPE. We've heard several comments relating to the conditions of consent, and specifically that they are not strong enough and do not contain consequences for Bowdens Silver. While some conditions are standard for mining projects, most conditions specifically target the matters raised by the community and the predicted environmental and social impacts. This is carefully explained in the assessment report. An example of this is the inclusion of a requirement to monitor deposit dust, assess the lead content of that dust, and establish trigger levels for lead content. This is despite predictions of very low deposited dust levels.

We heard from Dr. Barry Nola that measurement of TSB is not an appropriate approach to monitoring lead, and I note that the DPE condition requires monitoring to be of deposited dust. I also note that the highest predicted deposited dust level at a privately owned residence is 0.15 grams per meter squared, per month, which is less than 10% of the New South Wales EPA criteria for in- incremental dust deposition of two grams per meter squared per month.

Voluntary blood lead level monitoring is a clear commitment in the EIS, including a program of ongoing monitoring, and Bow- Bowdens Silver main- maintain this commitment. Neither DPE nor Bowdens Silver can mandate this requirement for any community member, but it is offered voluntarily. The environmental management plans for the project are intended to guide the development and operation of the mine. They are prepared to reflect the design controls, management measures, and monitoring commitments made in the EIS and the technical assessments. There is nothing new in these documents that is not in the EIS and other assessments, so there is no benefit in them being prepared prior to approval.

On the contrary, the plans follow the approval and their preparation is overseen by the relevant government agencies, be that the EPA, DPE Water, Heritage New South Wales, or Council. The baseline information collected for the assessments presented in the EIS and the predictions made in modeling and other assessments will form a benchmark against which the environment and social performance of the mine would be measured. Annual reporting of monitoring outcomes must compare monitoring outcomes to past data and justify any variations. This information will also inform trigger action response management, which is developed from the proactive and reactive mitigation measure that are proposed. I wanted to touch briefly on the matter of AMD again, given the number of times this matter was raised over the last few days. Professional disagreement is not uncommon, and where professionals apply different approaches, they can often disagree on outcomes. Bowdens Silver has sought advice from multiple sources to confirm the waste classification strategy proposed is appropriate. Regardless of this, Bowdens Silver has agreed to address the recommendations of Earth Systems. As mentioned in my presentation on day one of the hearing, there are two principal matters to consider when addressing the identification and management of AMD risks. The first is whether there is sufficient material for construction and rehabilitation of the mine, including for the management of potentially acid-forming material, and the second is whether the proposed management of AMD risks is appropriate.

I've mentioned previously that Bowdens Silver's approach to AMD management is consistent with best practice in Australia and internationally. Whilst store and release covers and geo-synthetic clay liners are not appropriate for all developments, our assessments and the advice of Advisian and Okane Consultants is that the approach is appropriate for this setting and for the waste materials generated by the project.

While on the topic of the TSF, I refer to the Commissioners to the pre-liminary design report for the TSF that discusses the design approach to earthquakes, an approach that considers the one in 10,000 annual incidence probability event required in Dam Safety New South Wales guidance and has been applied. The risk with the ratio of NAF to PAF changes is considered to be low. Our initial results from subsequent testing, as recommended by Earth Systems, confirmed this. However, should that be an outcome of the additional testing program, there are contingency measures available to Bowdens Silver. I will briefly summarize some of these for the benefit of the Commissioner.

The material in the floor of the open cut pit is potentially acid-forming, and it would be feasible to reduce the depths of the open cut pit and forego that resource in order to maintain the necessary ratio of PAF to NAF. Bowdens Silver has also proposed to backfill the satellite pits with non-acid-forming material. It may be possible to use this material for other rehabilitation purposes if that's needed.

There may be options to source non-acid-forming materials from within the site at closure. These sources are commonly referred to as borrow pits, and I note that sections of the mine site are overlain by the Sydney Basin sandstone deposits that are not acid-generating and would be a reliable source of material for rehabilitation.

Areas previously disturbed for mining may be used for this purpose, such as top soil stockpiles once the top soil's been applied and the processing areas. Another alternative would be to source material from outside of the mine site. And finally, it is possible to redesign the waste management structure, as an alternative allowing for a refinement of storage and rehabilitation, should it be required. Some of these options would require a modification to the development consent, but the need to employ these scenarios is considered unlikely.

We have heard over the last three days a lot of commentary on what the consequences of lead exposure may be for the community. When assessing and presenting these matters to the community, Bowdens Silver can only rely on the advice of specialist consultants in the field of human

health risk assessment. Dr. Jackie Wright of Enisks prepared the assessment, and Bowdens Silver commissioned a peer review by Professor Brian Priestly. DPE commissioned a peer review by Dr. Roger Drew. Each of these consultants is a fellow of the Australasian College of Toxicology and Risk Assessment, with Professor Brian Priestly a former president of that college. Each of these specialists agreed that the methods applied in assessing health risks were appropriate and that it was reasonable to conclude there was no health risks of concern for the local community. Regardless of this, DPE has conditioned monitoring, assessment, and trigger action management for potential lead exposure, and Bowdens Silver has committed to monitor blood lead levels for those who request it.

On the basis of the human health risk assessment and the peer reviews, we confidently state that there will be no physical impact to agricultural production and no risk to tourism. We acknowledge that some in the community may not accept this, and for these people, the prospect of a mine proceeding represents a source of fear for their way of life, including their ability to grow vegetables on their property and to run productive businesses. The evidence provided to Bowdens Silver indicates these fears are not warranted. We deeply respect the views and the local knowledge of the longterm residents of the Lawsons Creek Valley, but our health risk assessment concludes that the health risks as- as expected by some in the community.

The approach to the risk assessment uses relative risk levels based on very conservative exposure standards agreed by government and scientific experts. The assessment by Enisks applied an assumed 70 years worth of deposited potential dust, and therefore deposition. This clearly conservative method produced the results in the assessment. Review of existing pathways of exposure to all metals identified by b- that, by far, the highest pathway of lead exposure is in the food we consume. Yet, as a community, we continue to take this risk. Relative to existing exposures in food, the project is conservatively- conservatively predicted to result in lead exposures- uh, lead exposure risks four times lower than the existing exposure to the food we eat.

We have heard that the project would not have a secure water supply. Firstly, the comments quoted from the Earth Systems peer review were all responded to in detail and were considered satisfied by DPE. Bowdens Silver considered a range of opportunities to reduce water demand or to reduce water lost to evaporation. A lot of this work focused on improving water efficiencies and tailings management.

For the EIS, high rate thickening was included, but this has been replaced by a pace thickener plant that reduces water demand by 390 megaliters per year. Alternative options for refinement of the TSF included a filter press and the dry stacking of tailings. This process involved a predominantly dry tailings managed in a smaller area. However, we did not believe that the community would accept an approach that has a greater potential to produce dust.

One change that has been made is that the Bowdens Silver- Bow- Bowdens Silver now propose to manage the decant pond at a water level of .5 meters, which is reduced from the original design water level of two meters. This requires more active pumping and management, including the use of a turkey's nest dam. We looked at alternative sizing and locations for this- this turkey's nest dam as options. We are confident that the integrated water management and supply strategy would provide water security to the site while minimizing, as much as possible, impacts to water users.

We've also heard that the site would not be real- rehabilitated. Rehabilitation would need to be completed progressively and finally, to the satisfaction of DPE and the resources regulator. Substantial financial bonds required under New South Wales legislation would be in place to ensure that the funds are available for rehabilitation of the mine site. It is acknowledged that a final void will remain in the land form. Alternatives to this have been considered, including backfilling of the open cut pit. Notwithstanding the high cost of this alternative, the principal reason this has been rejected is that

Bowdens Silver did not want to sterilize access to the significant underground mining opportunities identified in previous presentations.

I note that the correspondence relating to expansion of the final void at closure was intended to demonstrate that Bowdens Silver's commitment to construct the final void as a groundwater sink. Oh. We noted that this was technically and economically feasible. It is not currently proposed to extend the open cut pit, but has been noted as a contingency available, should it be required. Similarly, Bowdens Silver has demonstrated the feasibility of using a constructed wetland in the final landform. Again, these options have been deemed as feasible and appropriate mitigation by the DP- DPE's peer reviewers and accepted by DPE.

We appreciate there are concerns about climate change and the possibility of more extreme events with regards to extreme rainfall and drought conditions. We also heard comments on high wind events and what that may mean in relation to environmental impacts. It should be noted that, although we expect these events to occur more often, they are infrequent and do not represent ordinary operations. Water balance modeling considered extreme events, including rainfall in drought over a 130 period of record. This period includes higher peaks and worse droughts, such as the ones, uh- the specific events mentioned by the community. Dust dispersion modeling has considered dust related impacts under conditions that enhance dust dispersion, such as winds in the direction of the receptor. In this way, worst case outcomes are- are addressed and planned for.

It should be noted that the outcomes of these assessments present worst case, um- worst cases in order to understand the worst level of impact. It does not reflect the day-to-day outcomes expected for the project. By presenting these worst case outcomes, Bowdens Silver must also plan and manage the mine site for these events. Specific actions for management during extreme events include, but are not limited to, using meteorological forecasting to plan for the- for extreme events. This might lead to limiting operations on a given day, reducing activities at exposed locations, or actively manage water storage infrastructure to plan for high rainfall events, using the trigger alarms' continuous noise and dust monitors to alter operations proactively before the incidences occur, using onsite water balance modeling to manage the water needed for dust suppression and processing, so that water use is, uh- water use and management is efficient.

During extreme events, there are also management measures that can be applied proactively. For example, there will be a series of pumps and pipes connecting water management infrastructure across the site and water can be moved in response to extreme rainfall to manage water levels in these structures. Importantly, the modeling indicates that under no historic climate conditions would water have discharged from the mine site.

During drought conditions, the mine would be managing water to reduce evaporative losses. This would also require the active movement of water around the site. It is important to note that a large volume of water would be actively recycled and Bowdens Silver would also source water from groundwater bores. Therefore, there would be water within the processing systems that can be used and reused, with groundwater bores remaining a source of water. Bowdens Silver would need to meter water- water taken from any water bore and the open cut pit, and in this manner, water take from these bores would be recorded. Therefore, Bowdens Silver would need to report water use and would not be able to take more than their licensed entitlements.

Thank you again to the- to the Commissioners and the Council assisting for taking the time to listen to the presentations over the past three days, and thank you to all who have spoken and contributed to this process.

Commissioner Duncan:

Thank you, Nicholas. Are you comfortable to answer some questions now? Or would you rather do it, uh...

Nicholas Warren:

I can answer questions now. That's-

Commissioner Duncan:

Okay.

Nicholas Warren:

That's fine.

Commissioner Duncan:

Okay. Uh, just a couple of clarifications. O- one that I had, and as you've said, you know, we've heard from speakers about potential impacts of contaminants on human health and environment. Um, i- if the proposal went ahead, um, and- and you've talked about the baseline mon- monitoring, the monitoring that has been conducted, will- will that be incorporated over the life of the project and into the management plans, and how would that- how would that affect work? And particularly, in relation to water quality, quantity, uh, uh, agriculture, residential soil, and airborne contaminants.

Nicholas Warren:

In terms of the existing information and- that, uh-

Commissioner Duncan:

Yes.

Nicholas Warren:

... we have in- uh, from these assessments. So as... As I've mentioned with the management plans, these, um... These documents here are basically direct reflections of the assessments completed on those matters. So for example, where we have background levels for- for dust, let's say, um, they would be presented in the management plan as a- in a description of the existing setting, right? And then what we would then present following that is the outcomes of assessment based on those existing settings, so that both those... Both that, uh... Like, both sets of that information would be in that management plan, and then a- a... Like, I guess when we are monitoring, the monitoring is compared to those predictions and those background information, as well as to the criteria applied through the d- the development consent.

And there is a annual r- um, reporting requirement, um, which would basically describe a summary of those and those outcomes, um, as well as, um, a- a discussion, uh, of- of how dust has been managed over the period. Um, I know the EPA also requires that information is published on- on- on the proponent's website. So it's got to be a meaningful of- of- of the dust, uh, and- and- and the monitoring, um, with where relevant a discussion of- of those outcomes.

Commissioner Duncan:

Okay. And, uh, I should say, with these questions, if you want to take it on notice, you- you're quite welcome to do so.

Nicholas Warren:

Yeah. Well, if you're not... If there are any further questions on that, I'm happy to take them on notice.

Commissioner Duncan:

Thank- thank you.

Commissioner Sykes:

Just, um... Thanks. Thanks very much, Nicholas, and, um- for your, you know, quite detailed description, um, regarding some of the points raised over the- the last couple of days. Um, I just wondered if you could, um... Especially with the- the modeling and characterization around, um- in relation to potentially acid-forming material and non-acid-forming material and the waste rock, um, emplacement, um, you mentioned a range of contingency measures that, um, could be taken-

Nicholas Warren:

Mm-hmm.

Commissioner Sykes:

... um, should those ratios, um, not match what you expect. Um, could you perhaps provide a little bit more context and description around that? I know that you described that a little bit earlier, but, um, more in relation to in practice, how that would take place and what would those triggers be, and how readily could the project respond to, um, changes to- to plan.

Nicholas Warren:

Okay. I- I think the, um... I would- would say that the management of- of AMD and- and, as you're talking through the- the, um- the understanding of the ratio of- of acid-forming to non-acid-forming rock, would not be a- a kinda- I think I said day-to-day, uh, matter for- for being addressed. So they would... They would analysis of the rock before blasting and- and implanting, uh, the mining. That would inform what type of waste rock they're expecting from that, and that would be allocated within- within the- in the, um- in the operations where they go to the waste rock emplacement or for the non-acid-forming to stockpile for- for later use.

Um, so, uh, we've come down to a sort of broader understanding of the geology, um, so I- I think in some of the reports, we describe, um, a- as I mentioned, the- the bulk of the overlaying sandstone material is non-acid-forming. So that is... You- you may get... Um, at the base of that, there is some of that sandstone material, which we call WZ2, which w- was found to have, uh, that- that sulfur zone that's sort of crept up into that during the- the development of the deposit. There is... There is edges of that. So we're very aware of where the- the sulfur is. Um, it's one of these... In terms of the- the hydrothermal development of the deposit, which is a- a difficult concept to explain here, but it... There is, uh, essentially a- a shell that's- that has formed, and as- as one of the- the geog- geog- um, geologists has- has said to me, within a meter of that material, you see that sulfur change from 0.3 to 0.2. So it's... It's a very clear boundary there.

So what they're focused on at the site is understanding that boundary, and that's where we could say, well, actually, there's more NAF waste rock than what we expect 'cause we've... A lot of additional information, a lot of additional drilling has actually pointed- given us more information about where this boundary is. So the... The management of sulfur, in that sense, is... I- it is about the development of the deposit itself. It's about an understanding of what that is, which has come through the drilling activity.

That's been a key target of what they're trying to do, is forming management of the site. So we don't expect surprises. It's not going to be a matter of coming to the end of the year and going, oh dear, or these other words, but that we need to- to make a change here.

Now, I think the key matter we're addressing through this additional sampling- sampling and work is the PZ2 material in the very northern section of the pit. So there's about six million tons of rock there. Now, small portion of that at the boundary of this, um, uh, where- of- of the sulfur, um, cutoff areas, is where there are questions, because what- what we've looked at there is the neutralizing capacity of carbon that's in the m- in the- in the material. So where those carbon attack to- to neutralize the acid, and this is borne out in the kinetic leach testing that's done.

So we're... While we've- we've done additional testing, we can see there are, uh, the same results, exactly the same results that we had before. And then the plan... The idea is the kinetic testing, we... Uh, I should add, we've... We have done kinetic testing in that area. Uh, it was targeted to try and understand these questions. Uh, I think it was... In the samples, there was 10- 10 to 12 weeks and the acid generation dropped off and it basically stabilized and then... So then those samples were tested for 12 months to ensure that was the case. There were samples tested for three years to- to look at that case. So that led Graham Campbell and- to- and associates to conclude that the- the risk of acid generation over the long-term was well understood.

Now, we appreciate that Earth Systems have a more conservative view to- to addressing that. Um, we don't agree that it's needed, um, but we accept that they are professionals, um, they have a view, and we'll- we'll seek to satisfy their view.

Commissioner Duncan:

Thank you. Thank you. I think we might have one more.

Commissioner Cochrane:

Yeah, thank you. Um, thanks. Thanks, Nicholas. Over the, um, course of- course of the last few days, we've heard quite a bit of concern about high impact and the extreme weather events, particularly on dust, um, water shortages, and also excessive water. Uh, and I particularly recall, um, one member mentioning a 200 millimeter rainfall that ended in nine hours.

Nicholas Warren:

Mm-hmm.

Commissioner Cochrane:

Um, so, uh... And you did touch on this earlier, but I think we'll need some more information about the plant mitigation measures around each of those on dust dispersion in high, um, impact weather events, uh-

Nicholas Warren:

Yeah.

Commissioner Cochrane:

... water shortages, and, um- and water storage too, because, uh, for example, with water s- uh, excess rainfall and water storage, there's a reference, uh, increase in the evaporation of the, uh- of the pit. Uh,

and one of the things we're won- wondering about was what is exactly was in mind with increasing the evaporated surfaces of the- of the-

Nicholas Warren:

Of the final void?

Commissioner Cochrane:

... pits? Of the final void, yes.

Nicholas Warren:

Um, do you mean in terms of... Uh, I'm not sure how that relates to an extreme event.

Commissioner Cochrane:

Uh, well, it would in terms of excessive rainfall.

Nicholas Warren:

Okay. So the, um... The- the proposal to extend the open cut pit is a closure plan. So the i- the idea of, uh, I guess, is a contingency. We're not proposing it. We're not... We're not asking for it to be an a- an approved part of the project. But when there was a question as to the likelihood of throughflow, um, and Bowdens Silver were maintaining their commitment to construct the final void as a sink, um, we identified with our consultants that an opportunity to do that would be to expand the lake, so expand the surface area of the lake, and by doing that you increase the total evaporation. And what this actually does is push down on the, um- push down on water levels so it maintains at a- a level below where you might expect throughflow. So that's... That's one of the things we- we had discussed and- and- and basically showed that during closure, um, so all the equipment, everything has- has- has been removed from the site. It's possible to use areas previously disturbed to extend that pit so we're not clearing more vegetation, we're not doing- increasing those impacts. But we are... There is a- a mitigation available to us.

Um, in terms of, uh, extreme rain and that- and that, that sort of setting... The idea of depressing the lake would actually mean there's a lot more space between the water level and the- the- the top of the pit. Um, our assessments had demonstrated that there was no- there was no, um, risk of overtopping of the final void in the final landform, 'cause that was a- a clear concern, obviously, is that if it's acting as a groundwater sink, you do not want that to overtop. I think there was about 10 meters, um, between- in that final void between what was expected to be the final lake level and where you...

Nicholas Warren:

... now, between what was expected to be the final lake level, and where you might have a spill at the lowest point. So we're fairly confident that th- n- you're not gonna get a rainfall event that's gonna cause that, that to overtop. Um, but that... I mean, that, that's... That's based on the 130 years of rainfall records.

Commissioner Duncan:

Okay. And Dr. Smith, I think, has a question as well.

Dr. Smith:

Yes. Um, thank you Mr. Warren. So, just by way of clarification in relation to the operation, the conditions. Uh, so in relation specifically to air quality monitoring, um... So B30 requires the preparation of the Air Quality Management Plan.

Nicholas Warren:

Yes.

Dr. Smith:

Um, subcondition E requires the measurement and evaluation against dust particulars as well as metal concentrations. And to have trigger response in relation to any elevation relative to those three criterion... Um, in terms of a criterion for lead, for the purposes of the metal concentration, uh, and you can take this on notice, wh- what concentration would you be considered to be elevated to trigger a response? U- mindful the condition, um, B26 doesn't actually specify, presently, a lead concentration. So if there was to be a trigger response from that concentration-

Nicholas Warren:

Yes.

Dr. Smith:

U- what, what would that be? P- content for you to take that on notice if, if the conditions pr-

Nicholas Warren:

I will need to take that on notice. I'm, I'm-

Dr. Smith:

Yes. Um, the second question would then be, it's an all criteria. So it's an exceedance of dust, or particular matter, or metal concentration. So if particular and dust was compliant, but metals were not, how would the management plan... What would be an example of how, operationally, if dust suppression is operative and effective at the mine, yet there is still a lead exceedance at the monitoring site, what would be an example of a response, operationally, to deal with that type of scenario?

Nicholas Warren:

If the... I think if your deposited dust was, um, was satisfying in criteria and the metal concentrations were not, our predictions would have to be way off, like a long way off.

Dr. Smith:

Hm.

Nicholas Warren:

I, I, I'm, I, I'm talking off the charts. 'Cause it's... The, the predicted d- deposit of dust from the site, as I mentioned, I think .015 was the highest predicted deposit of dust as a residence.

Dr. Smith:

Hm.

Nicholas Warren:

Um, now, as, um, I think someone mentioned the other day, um, the criteria is full, but that's a cumulative criteria so it takes into account other dust sources, the incremental criteria is too. So for dust depression, compared to our prediction, for dust, uh, deposited dust to have reached that level, it's, um... We've, it's, uh, quite, quite... There's something going wrong in terms of our, our assessment of, of the m- the metals in that, in that dust, okay?

Dr. Smith:

Yeah.

Nicholas Warren:

So the, the management reaction would be to re- reduce dust levels to get that level down. And it would be, I, I think, I- in my experience, wh- where there is a non-compliance of that sort, you notify the DPE you've had a non- non-compliance. You also notify the EPA.

They come back to you and say, "We need a detailed investigation report to understand why this has happened and what you're gonna do about it." And I would imagine that what we were gonna do about it would be to accept A level criteria for the deposited dust and manage the site to, to reach that criteria. So we change op- it would be an adjustment to operations. And where I've seen that happen in the past has been, for example, um, a noise exceedance that wasn't expected. And it was because there was a, uh, some crushing equipment on the, u- in the wrong place. And they u- basically made a commitment that they would, they would not put this equipment below a certain level in the, in the f- in the void, so that the noise had a permanent barrier. So they, they basically, u- th- yeah, using that equipment was approved, but we refined the operational requirements to bring that noise down. Does that partly answer the question?

Dr. Smith:

U- y- no, I understand. It was, the question is to the, the, the condition requires the plant and management to give that consideration.

Nicholas Warren:

Yes.

Dr. Smith:

And so, it was a question of w- on the ground, how does that particularly deal with it? And I think you've addressed the question.

Nicholas Warren:

Okay. So I mean, on the matter of a, um, of a criteria level that would apply... I mean, quite often with these, these matters, you would use, you would use trigger levels as well. So you would look at the existing data. You would go look at that existing information that's available to us. And then that would be used as a, you would have a trigger. So you'd have a... The highest point or the lowest point, and, and that's... I know we do that with water management. So if your groundwater levels, for example, you have a, an upper-bound and a lower-bound, and if you're above or below those things, that's an immediate notification and an immediate management response.

Dr. Smith:

All right. Um, thank you, Mr. Warren. We'll call our next speaker then. U-

Commissioner Duncan:

Thank you, Nicholas. And feel free to take, uh, to elaborate on any of those questions in writing. Thank you.

Dr. Smith:

And so, I call Anthony McClure.

Anthony McClure:

Perfect, thank you. Firstly, I would like to thank everyone in the community who's made the effort in taking time away from their work and their families to come and have their say these past few days. We appreciate the uncertainty and anxiety that has occurred during this long EIS and approvals process. But while it is a long process and it's an, it's an important process, it is thorough, and it helps us ensure that the highest standards are achieved. As we move to a conclusion, we hope the decision will bring a level of certainty to the community and for Bowdens Silver. We've heard a range of views over the past couple of days, and a number of questions have been raised, and we welcome to opportunity to address some of those now. On the first day of the hearing, uh, the commissioners had a few questions.

Commissioner Sykes asked, what changes would need to be made to the process indicated for the extraction of other metals? Um, or for an increase in the quantity of material being extracted. I provided a general answer, however- however, I have another point, um, to make in that regard.

For us to al- b- for us to, to able to be able to strike gold from an open pit operation, um, in addition to the silver, zinc, and lead, we'll require a real few minor process addition. The most likely scenario is that we would recover gold and pyrite in one flotation, circa producing a high precious metals pyrite concentrate that would contain silver as well. Further metallurgical testing is currently being undertaken to make a determination. If an additional circuit would be required or, or justified, it would only be a minor increase in the, um, accommodated plant footprint area. That concentrate would likely be sold as is, with further concentrating or smelting occurring offsite.

That assumes no additional throughput. In other words, maintain the authorized 2.0 million tons per year. However, any further expansion, whether open cut or underground, fundamentally would require a greater use of water, and there would be other, many other items that will require full assessment and of course approvals. In terms of expanding processing facilities, the main components processing, crushing, grinding, machine, uh, crushing and grinding machinery and flotation seals are typically built in components. This would be provided within the plan, uh, processing plant area. I trust that further answers your, uh, question, Commissioner Sykes.

Commissioner Corcoran, uh, provided a question on notice with regards to staffing accommodation options for the project. This is a very good question, in particular, in a market which is ever-changing in our region. Some of the speakers have mentioned the tight housing market and how a new project might further exacerbate this. The increase in tourism in Mudgee dur- during the post, uh, COVID, um, period has not been without its challenges.

The increase in Airbnb style accommodation put pressure on the, on the housing market. Renewable energy projects north of Mudgee will also place, place significant pressure. Mudgee is having to adapt and evolve. Our discussions with council have covered these issues, and we will work closely with them to address or accommodation requirements. In our discussions with council, we talked about looking

east rather than, rather than west. Uh, from the minesite, looking towards Kandos and Rylstone for housing opportunities. These discussions have involved a potential joint venture with council to create accommodation.

Proper accommodation in cabins or the like, fully equipped. Keep in mind that for our construction staff of 320, we expect that many of the required services, uh, services, such as builders, plumbers, electricians, Earthworks, et cetera, will be sourced locally out of what is already here and available. The industrial sector of Mudgee has considerable, already installed, capability. In terms of our ongoing workforce j- uh, during operations, we see that a considerable amount of our workforce will be local, living here already.

We have already seen local coal mine workers who live in Lue, Rylstone, and Kandos, express significant interest in the employment once we are operational. We've received an excessive 300 applications and expressions of interest from local people, many local coal mining people. We know the demand for employment is there, and the community's generally excited about this opportunity. For those in the Kandos community, they commute for work. And for some, that is over two-and-a-half hours of commute time per day. Bowdens Silver being 25 minutes away will obviously have significant time, uh, benefits and social benefits. The minesite is less than 20 minutes from Rylstone.

Our accommodation strategy also includes the upskilling and hiring of local people who are already living in the area, whose families live in the area and wanna be able to stay here and raise their own children in the region. It also means, we'll be working with the local community t- to provide opportunities for young people, school leaders, and tertiary students to get the training in schools' development they need so they can stay and live in the region, rather than having to trave- travel elsewhere for employment opportunities. The important thing here about the job oppor- opportunities the mine will deliver is that they are long-term, secure, sustainable jobs that will enable local people to plan their futures and build strong family roots in this community.

We do not perni- pretend that we will get all of our employees locally. There are some specialty skills required for precious metals processing, uh, and they are, they are jobs that will come from the outside of the area. However, these people will be required to live and work locally. There will be no fly-in, fly-out. We have, and always have, a, a locals first pro- approach to jobs. That's our steadfast commitment, and it can be seen in the 24-odd staff we already have employed today. So to summarize, the point I'm making here is, we're determined to employee as many local people as possible, which not only brings social and economic benefits to these families, but will help to minimize and negate any impacts of- on local housing.

We will work in joint venture with council and with key oth- oth- other key stakeholders to develop a detailed accommodation strategy that caters for additional requirements and assures we are competing with, weo- we are not complete, competing with other industries on accommodation. I trust that answers your question, Commissioner Corcoran. Um, if there's any more detail required, we can provide that in a written submission next week.

I'd like to spend part of my time today, uh, to talk to some issues, uh, that have been raised. Um, the detailed issues are somewhat hidden. We talk about the appetite for local, uh, development and jobs. We have heard from the community members these last few days about the appetite for development and jobs. From what I've seen over the past six-and-a-half years being here, walking the streets, speaking to people, community meetings large and small, close neighbor meetings, reading submissions from our environmental impact statement, and seeing submissions from the IPC website, development jobs is by far the most talked about issue in the communities. That is clear.

When we turn right outside of our minesite, heading 30 kilometers towards Mudgee, that all seems quite fine. Mudgee is booming. It bounced out of COVID very well. The coal mines have kept producing.

Tourism is doing well. Other agriculture is doing a lot better since the drought. We have the vineyards and the wineries. The town and surrounds is the envy of many of our, a- many other towns. That is all clear and very good to see. I'll come back to the future of Mudgee in a moment.

However, when you turn left outside the minesite, the picture cannot be more different. Lue and Rylstone appear to be doing okay, when you compare to Ran- when w- when you compare to Kandos. Kandos is the larger of the three towns, with a population of 1,200 o- and located about 25 minutes from the minesite. Kandos has issues. It has major issues. I understand issues can some- sometimes be tiffi- difficult to talk about when it comes to health and financial well-being of individuals and families. However, these sorts of issues are in our community. To an extent, it is hidden. It is not often spoken about.

Many think of Mudgee and how well it's doing, but what happens further afield? Allow me to provide some t- statistics on Kandos, which is hugely worrying. I apologize for those who are here and might be a part of the census stat- statistics, however, I think it's critically important that they are understood and tabled. In Kandos, household in- income is about a third of the state average. 48% of households earn less than \$650 a week, the state average of the earning bracket is bounc- about 16%. That is household income, not individual income. Divorce and separations are about double the state average. 43.1% of par- parent families have both parents not working. 17.2% of people have achieved year nine or below at school. 40% of people have not ach- achieved year 12.

I find this completely unacceptable in Australia in this day and age. To be clear, I'm not critical o- of children leaving school early, if they're going to TAFE for the like and learning a decent trade or gaining other opportunities in training. But it is well-documented that educational disadvantage in early life has a negative impact on career prospects and future earning capabilities. This is all 2021 Census data, the latest data. If you compare these figures to the previous 2016 Centus, Census, the dial has barely moved, very minor improvements since the 2016 or stagnation. Graduates from Kandos High School have virtually no jobs to go to. They're heading out of the community, to Penrith, to Sydney, elsewhere, to find a job that's, u- u- to f- find a job, or they're staying in the community and going on welfare.

To me, as someone who knows a little bit about numbers, statistics, data, trends, situations, and outcomes, if this does, does not reb- uh, represent the demise or destruction of a society, I don't know what does. With no jobs, there is no future, and people leave. The young, in particular, leave. Rylstone is better across all of these statistics, but only very slightly, and still substantially below all of the state and national averages. Worse still is health. The 2021 Census tells us that, uh, figures for cancer, diabetes, heart disease, kidney disease, and mental health in the council, in the, in the, in the Kandos and surrounding area are roughly double the state and national averages.

In fact, every single health category listed in the centus, census for Kandos and surrounds is significantly worse than the state and national averages, and it's not improving between the s- two censuses. All that sounds terrible, and I think we know why. The socioeconomic decline of can- can- uh, Kandos was called by the closure of industry. The cement works closed. The coal mine closed. And nothing came in to r- replace them. People lost their livelihoods, and we have the problems we have, uh, due to the lack of investment and the lack of planning that has had a very neg- negative impact on society. Now, I'm not gonna say that we will solve all these issues. That wouldn't be right. But developing a substantial new industry with local high-paying jobs, enabling people to live locally, raise their families, and spend locally, populating, and supporting the schools and other educational institutions, we will make a very big difference. 2,028 jobs in operations, and the rule of thumb is that approximately 2.5 additional jobs are created for every worker employed by mining for local services and supply industries. That's five... That's over 500 jobs. Now, I hear y- I, I, I said, but we only have a, only a 23, three-year mine life with the... Um, a 20, 23-year project life, or the mine life is 16 years. That is correct. However, we certainly

demonstrated that there are opportunities for extension in the future. The depth of the sil- silver mineralization is continuing, opportunities in gold, perhaps copper, are considerable, and that's just at the Bowdens Silver site.

Mineral exploration in the region is hardly promising. We expect that our mine will, uh, mine life will grow. The mineral system is large, and it's a real possibility that this project will still be in operation in 50 years time. And then there's the other mineral discoveries, um, possible in the region as demonstrated in our exploration works today. Obviously, once we define and complete assessments over the coming years, all of that would be subject to, uh, state approvals. Now, one final point I'd like to make, um, on the subject of towns and surrounds, we have heard about what happened to Kandos. What's going to happen to the Mudgee region?

Coal mining will go into decline at some point, as the country moves to net-zero by 2050. According to the Mid-Western Regional Council, total output from the LGA is approximately \$6.5 billion per year. The three local coal mines in the LGA produce around \$3.7 billion per year or 56% of the total output in the LGA. There are around 2,200 jobs in the three local coal mines, or about 19% of the local workforce. It is big business for Mudgee and the LGA. So what happens? We know that the wind and solar farms are gonna be built locally. There are some large ones plans, no- north, planned north of Mudgee in Gulgong, um, up the Gulgong way. Whether we'll... Whether we like it or not, a lot of people will come in to build.

However, after the build, that workfirs- -force will not remain. These projects have low maintenance and u- lo- and have low employee numbers. We as a region must diversity. Yes, more tourism, more vineyards, more wineries, artisan industries, more agriculture, develop technologies. I'm all for it if it makes sense and is done responsibly. However, what industry is gonna be doing the heavy lifting? Again, I don't pretend that Bowdens Silver will solve all the issues, but as a state in the region, we need to start to develop, we start, start the planning. Otherwise, our children in our LGA will be facing significant interge- intergenerational decline.

I've mentioned some very ordinc- ordinary statistics on education. I have a strong personal view on education and training, and we have helped inst- instill that into our workplace. We continue to help the schools in Lue, Rylstone, and Kandos. We've contribute- contributed to and mentored, to the max potential, Australian programs locally, which encourage high school children to accelerate their potential and challenge themselves. We have had work experience children on-site, school children on-site. We talk about local jobs. Yes, we have a local pool of people who have, have experience in mining, who have skills. However, we wanna be encouraging school leaders and others to come in, undertake training, be the best they can, that they can possibly be in the workplace.

We have announced a stewardship program for young indigenous in the community. The mining offers diverse roles other than operators, roles in technology, environment, administration, health and safety, to name a few. We do not pretend that all of our staff in construction or operations will be able to source locally, however, we, they'll be a significant component. Um, and with a school, around school, we'll be, uh, ready to take, undertake training. All of our staff, whether now or as we develop, we be eligible for, for continued educational and training programs. Continued health and safety programs are a given, however, we may have a truck driver who might want to become an accountant, a field hand who might want to work in procurement, an office worker who might want to become a plant operator, it goes on, multi-skilled education and training pathways.

We have a special relationship in tertiary education. We allow the University of South Wales to utilize the Bowdens site to further education. Over time, we've had PhD students, Masters students, geology, and Honors students coming in to live and work at Bowdens to conduct their academic work and to help us further understand the importance of the Bowdens silver deposit and the surrounds. The other point I'd like to make is how dynamic the mining industry is. I'd like to think that Australia is the best in the

world. I know the Americans and the Canadians would contest that, but Australia is a massive mining economy. Of the top 10 exports out of Australia each year, seven of those out of the top 10 revenue makers are from mining and petroleum.

The three others are education being fourth, beef, sixth, and wheat, tenth. The mining industry's fluid, and it is changing all the time. Technologies are changing all the time. It's a massive det- it's massively adapting right now, um, to be able to deliver raw materials as we decarbonize our societies. And when we look at our project assess- and, and, and our assessment, as I previously mentioned, we've accepted our draft conditions as provided by the Department of Planning and Environment. Those conditions of consent are of course before the commission. In those draft conditions, there are 135 items and many more subitems. Standing behind this document is the commonwealth and state levels u- u- in the s- state and commonwealth levels, are the laws, regulations, policies, standards, and protocols.

Conditions of consent are designed to cover particular items in general and topics that may be specific for our site. The EIS and the amendments, the assessment report, and the draft conditions of consent is a snapshot of the project at a particular point in time. As an example in the draft conditions, we've agreed to further modeling work when it comes to our water balance and acid mine drainage. This is to further confirm our, our findings, the findings of the EIS, and the findings of the government agencies, and the peer reviewers, and the government peer reviewers. That's all fine. However, that's not the end of it. We don't just tick a box and move on. Throughout the mine, life and beyond, water, water balances, tailings AMD, biodiversity, rehabilitation, GHG emissions will all continue to change.

All of this is adaptive management that seeks to better the outcomes, whether it's from an optimization point of view or improving environmental health, and safety, and other outcomes. As a very basic example, we've been working over the past eight months or so on refining and optimizing recoveries of metals in our process flow sheet. Recoveries are very likely to be better, a lot better. That's great for the business. However, there are the bene- benefits of having less metal content being deposited in tailings. As I have mentioned, the project and the mine life is likely to change. We may have an underground mine in the future. We may look to extract gold, as well as silver, zinc, and lead. Obviously, much... Obviously, any such changes are subject to a lot of technical work, the assessments, and state government approvals. I've got a... Couple more minutes.

Commissioner Duncan:

Keep going.

Anthony McClure:

Mining and this project, in particular, will be a very dynamic, will be very dynamic over time and certainly in a positive way. One last point I'd like to make, we're... Um, we will have d- more to say in our submission next week on the economic benefits created by the project. In the assessment report, the cost-benefit analysis or CBA indicates a net production benefit of \$89 million to Australia and \$44 million to New South Wales. That is okay. And yes, it's not the benefit you might see from a, a large coal mine.

However, with our reduced greenhouse gas emissions, that will increase the CBA numbers with greater renewable energy in the grid, along with our on-site benefits such as a po- potential s- small solar farm. Also in the CBA calculation, it only assumes the benefit from new jobs created and not jobs already, um, exist and then are transferred. With the rapid acceleration and pressures in coal mining, in the coal mining industry, and now the scheduled closes, we will in fact be saving jobs. Again, not addressed in the CBA. The substantial benefit has not been taken into consideration and will be over time.

We are, we are investing a large amount of money locally. To date, we have spent over \$80 million on exploration, assessments, freehold purchases, local services, local businesses, et cetera. That excludes

the on- uh, the project acquisition and corporate costs. We spent almost \$9 million in wages locally. For development, we will be investing some 310 million in capital works. Most of that is for the start up and being invested, uh, next year, assuming we have approvals. In addition to the capital costs, over the life of the mine, we will invest some \$1.3 billion over the life of the project. That's on-site costs. That's wages, consumables, services, contractors, and so forth. Partly included that, in, in that, is taxation and royalties, in the order of \$350 million over the life of the mine.

We also have our \$3 million, um, invested in local infrastructure in- including roads, with our agreement with council. The point I'm making here is that the local economic benefits are considerable, which can be somewhat, somewhat hidden in a formal cost-benefit analysis. In addition, we've also spoken about the potential expansion opportunities which are yet to be quantified. We will have more to say on this and other matters in our submission, um, and, that have been, um, on matters that have been raised in the past few days during the Bowdens Silver hearing.

I would like to think all from the community who have presented this last few days. Importantly, I would like to thank the commissioners for their work in diligence, uh, Dr. Smith and the, uh, commissions team for organizing this important h- hearing. Thank you.

Commissioner Duncan:

Thanks, Mr McClure. We, we have, I think, one quick question.

Commissioner Sykes:

Um, thanks very much, Mr. McClure. Um, and providing context u- particularly around your point about, um, adaptive management as the, as the project, um, progresses, um, from plan into operations, um, should, should it be approved of course. Um, I just had a question... You know, we have heard u- um, submissions over the last couple of days in relation to rehabilitation and the final land form. And, um, including concerns around the final open cut pit void. Um, and I just wondered if you could comment, um, in relation to remediation options and, and how that occurs during a typical course of a, of a mining project? And, and have you and your team given consideration to, um, filling the final void with material other than water, for example? Um, and i- i- in terms of the, um, the planning and project.

Anthony McClure:

Yeah, thank you. I, I think, um, there's a lot of technical matters in that which we can defer and look in submissions. Um, I, I, I think, um, what we've always strived for, from a management perspective, is best p- practice plus. Um, we, right from the very start of our, um, work back in 2016, we sat down with our, um, environmental scientists. It was exactly that. Let's get the best in the business. Let's do the very best we can. We knew that it was gonna cost a lot more money, but let's do the best. And, and not just, um, adhering to the guidelines or trying to reach the, the guidelines, is be significant in advancement.

And some of that is, um, um, is adaptive and, and highly technical, um, work, which is, um... You know, I'd like to think some of that work that we're-

Anthony McClure:

... which is, um, you know, I'd like to think some of that work that we're doing is, um, we're, we're, we're taking the effort to do a lot more. That is, um, a, a very creative way to, um, optimizing the environmental outcomes. Um, I think to get into more detail, I, I, I think I'd like to reserve that to, uh, the specialists if that's okay. Commissioner Sykes.

Commissioner Duncan:

Thank you. We'll look forward to getting this submission. Thank you, Mr. McClure.

Anthony McClure:

Thank you.

Dr. Smith:

Thank you, commissioners. Finally, I called, uh... Thank you, Clay Preshaw, if you can now come forward, um, to provide, uh, the final submission on behalf of the Department of Planning and Environment.

Clay Preshaw:

Good afternoon commission. Understand I have an opportunity to make a few remarks to begin with. Is that right?

Commissioner Duncan:

Yes, p- yes, please.

Clay Preshaw:

Thank you. Thank you for that opportunity. And thank... thanks for the opportunity to be here today. So obviously, I am the final sign-off for the assessment report. Louder, is that better? Better. Uh, obviously, I'm the f- the final sign-off for the assessor report. So I think it's important that, that I'm here today, I'm here to answer some questions. I, I will try and keep my comments fairly brief, because I think it's best to give you some time to ask some questions. Um, and which obviously, it's pretty hot in here. So I don't wanna delay things too much further. Uh, there's probably three things I would, I would like to, to make comment about today.

And the first is the first is the difficulty and complexity of, of this type of assessment. Uh, and I think we've tried to be fairly open about that in our, in our assessment report, and in our, in our conversations, in our consultation with the community. These types of projects or mining projects are difficult, and they involve the full range of issues. Um, and in my opinion, having worked in the Department of Planning with, with state significant projects, uh, in a variety of areas, they really are some of the hardest, hardest projects in planning. Add to that the fact that this is a greenfield mining project. So you're introducing a new land use in an area where, where it hasn't been before. I guess it just amplifies a lot of those issues and makes it in some ways even more complex.

I would say in the mining context, uh, there is, there is no easy project, there is no perfect project. There's never a project where, uh, land use conflicts don't exist. And, and that's I guess, the, the tricky and difficult and challenging part of what we do. So that's the first thing I'd say. The second thing I'd say is, despite all of that, despite all the difficulties, the, the complexities, we as a department are very confident in our process, and in our... and ultimately in our recommendation. So i- in my opinion, the New South Wales Government has one of the strictest, uh, leading practice processes around environmental impact assessment, and a lot of that is actually built into the statute, and that which isn't legislative, uh, I guess we fill in with our own practice, which we co- again consider to be best practice.

It's, it's a very much a whole of government process in New South Wales, and so while the department I guess it's kind of across different agencies is a jack of all trades, by no means are we the experts in everything, and we rely on the agencies that have all the technical advice. And as you will have seen from the back and forth we've had throughout this project, in particular, the agencies... the technical

experts in the agencies have been involved throughout. On top of that, given the specific technical aspects of this project, we have gone over and above and in- included another five independent experts to provide advice where we felt that that was necessary to f- to plug any gap there might have been in the... within the government system of, um, technical expertise.

So obviously, we've got groundwater, surface water, acid mine drainage, health, social and economic experts. We also just... I would like to note, I guess, the incredible effort that we've seen from the community in providing what I would consider to be very informed, well-thought-out submissions, including a number of, uh, experts that the, the community has actually sought out which, which I think is really, I guess, helps the process from, from our perspective. So ultimately, despite the technical difficulties, the complexities of this project, it has been a long and comprehensive process, a lot of back and forth with technical experts, and ultimately, we think we've come to a very sound conclusion.

Now the final thing I would say about that, and it's always difficult being in the community, um, talking about these types of things, is that we haven't come to that recommendation lightly. We've taken our responsibility very seriously. We deal with a lot of mining projects in New South Wales, and we have done for the last few decades. And I would say that the policy settings in this state are now very clear in most, if, if not all respects, and, uh, using those policy, legislative settings and criteria, this project complies with all of those relevant criteria. Now, I shouldn't say that we see a lot of projects, some of which that never get to an end that can't or don't meet the criteria. Now, that's, I guess, not relevant to the community here today, but for the commission's perspective, there are many other projects that we don't feel meet those thresholds.

So I would... I guess, in closing, to that point, say that complying with technical criteria, unfortunately, it doesn't mean that there won't be residual impacts to the community, and we get that. But we consider they can be appropriately managed, in accordance with the legislation and the policy, and through what we believe is a very strong raft of strict conditions, s- and, ultimately, on balance, and that's al- that is what we have to do. We've concluded that the benefits of the project outweigh, outweigh the impacts. Now, that's probably all I'll say, uh, is just some opening remarks. I'm happy to take questions. And as we take the questions, I will, if necessary, take some technical stuff on notice. But I'll try and provide some insight, um, from my perspective.

Commissioner Duncan:

Thanks, Mr. Preshaw. We do have a couple of questions. And as we have a standing practice, please feel free to take them on notice. But probably the, the first one for myself, and, and during the, the process of the public hearing, the commission has heard and listened to concerns from the community members regarding in relation to the SEARs. Can the department confirm it satisfied with the applicant CIS and that it has appropriately addressed the SEARs?

Clay Preshaw:

Sure. Now, this is, I would say not an unusual criticism for controversial projects like this. Um, and I will say at the outset, that for that reason, we are very careful about looking at EISs and making sure that they addressed the SEARs appropriately. So I am in response to your question confident that EIS in this case has addressed the SEARs. Maybe some more comments that I could make if they're useful is that in terms of the statutory sort of context, there are general rules about what has to be an EIS, and that's in the environmental planning assessment regulation, and that really goes to the sort of general contents of an EIS. And then it also references as, you know, the specific matters listed in the SEARs. So on both of those fronts, we are comfortable that the EIS addresses both the statutory matters and the SEARs.

Now the department just to give you some insight into like h- how we approach that. Internally, we do our standard procedures in place to check EISs and to check them against the SEARs. And of course, agencies are given an opportunity to comment at various stages through the assessment process, and as I've said before, for this project, in fact, independent experts have looked at the various components of the EIS. And in fact, I can say that some of the scope of works for the experts refer to the SEARs. So there's been plenty of opportunities along the way for us to verify over and again, that the SEARs have been addressed by the EIS.

Now on top of that, I think it's relevant to say that, because of the nature of this project, and projects like this, there's obviously been further documentation added since the EIS was published. So in this case, is the response to submissions or sometimes called the submissions report, and two further amendments reports. Uh, so there's been... A- and, and on top of that additional information has been requested, um, during and after that. So I guess I say all of that, in summary, to answer the question, yes, we are confident that the EIS has addressed the SEARs, um, and it's fit for purpose, and that's the key thing from our perspective. There will always be criticism with these types of projects that something is missing in the opinion of the various people who are looking at the EIS. But in terms of the SEARs and the EIS, yes, we are confident.

Commissioner Cochrane:

Thanks, uh, Mr. Preshaw. Uh, uh, a question on, um, background acoustic levels and, uh, compliance with relevant standards. Uh, a number of people have raised issues around noise and concerns about noise. Uh, so how did the department determined it was satisfied with the, uh, applicants acoustic report? And in particular, how did the department satisfy itself to the accuracy of the background, uh, acoustic assessment, uh, and its compliance with relevant standards? Thanks.

Clay Preshaw:

Okay. So maybe a general comment on our approach. So, the environmental assessment, the EIS is included a noise impact assessment, um, which is required to be undertaken in accordance with the relevant government policy. So for operational noise, that's the noise policy for industry, and for construction noise, it's, uh, it's the, what is called the interim construction noise guideline, I know that's... it's, it's been around for a long time, um, and also in terms of road noise, there's the New South Wales Road Noise Policy. So I guess there's, uh, an in-built system within our assessment process that requires a consistent approach to, um, providing accurate noise assessments, uh, against the relevant policy.

Now, on top of that, of course, as I mentioned in my opening remarks, all of these issues are subject to the technical experts within government. And in this case, the EPA is crucial in providing advice to the department about the, the adequacy and the quality of the noise impact assessment. Um, now, I will say getting into some of the detail, it's not unusual in, in the first advice from agencies that they will provide request for information and clarification on certain issues, and, and I believe that's the case with EPA's initial advice on the noise impact assessment, and those issues, uh, were... are addressed through the process, the responses, submissions, and if in this case, relevant the amendment reports.

So in its advice on the IS, the EPA didn't actually raise any concerns about the background noise levels, or the, or the rating background level, the RBLs, that were proposed for the mine and, and were used as the basis for the noise impact assessment. And that's because the noise... the background levels were determined to be the lowest that can actually be set under the policy, which is that 35 DBA for daytime and 30 DBA for evening decibels for evening and night periods. And just to go into a little bit more detail,

those levels will then use to stay at the PNTLs projects n- um, n- noise, noise trigger levels that apply for the pro- would apply for the project it was approved.

Now, subsequent to that initial advice, the EPA is now satisfied with the noise impact assessment, and ultimately provided ad- advice to us about the types of conditions that should be included in any development consent, if it was approved. So to circle back to your question, there's a general approach to how we do things. And then in this case, it re- relied quite heavily on EPA's advice in relation to the various, uh, policies and trigger settings.

Commissioner Duncan:

Thank you. Another question.

Dr. Smith:

Yes. Uh, thank you, commissioner. Um, Preshaw, we- we- we've heard evidence over the last couple of days in relation to the conditions, um, in particular, uh, issues raised in relation to the reliance on the conditions of plans of management, um, which are to be prepared. Uh, so these are plans that obviously haven't yet been developed. Um, on, on review, uh, the conditions require some 10 plans of management to be prepared, um, including four sub-water plans and management, so about 14 in total. Um, in terms of the conditions, the department's prepared, um, what was the view in terms of i- that being appropriate in relation to the circumstances of this case?

Clay Preshaw:

Sure. So I think it's important in answering questions around our conditions for a specific project to talk about the conditioning approach that we take, at a general level within the sector that we're working in here. Um, and it's important, this... you know, it might seem obvious, but I do like to make the point that this type of project, uh, a mining project, in particular quarry projects are similar. Um, but they are unique in comparison to g- to most DAs that the department sees and, and certainly most days that a council would see. They are live... what I like to call live projects. So they're not like a building where you, you get the consent, and you do something and it's finished, and for all intents and purposes, that, that is the kind of work of the consent.

Ours are very different. Um, for one thing, they have a time limit, um, and that that implies automatically, that there's gonna be an ongoing work through the life of that time. And for that reason, there needs to be a lot more detail in our consents around how the project would operate appropriately. But... And this is an important point to make, we don't jump to post-approval conditions until we're comfortable that the impacts have been ade- adequately assessed and that there's enough certainty finality, I'm sure there's some legal words that you could give me around administrative law provisions, that, that the project... that we are certain that the project can operate in accordance with the relevant ledge... legislation, policy, et cetera.

So while all projects of this nature have a range of operating, and management plan type conditions, we don't go... get to that point until we're comfortable the project can, uh, be operated in accordance with the relevant policies. Now, you actually mentioned the number, and I've done the count myself. Um, funny enough, were in a, in a, in a process now of trying to work out how to deal with all the post-approval burden that the department now has, because it's not like our work is assess a project, give a consent and walk away, we now have decade's worth of project approvals out there that we are intricately involved with, over basically the life of those projects. And so I know the number of management plans, because I'm acutely aware of the burden that we're creating for ourselves and the

resources that's required to, to manage that. And in fact, we're, we're in the process of securing more resources to be able to do that, appropriately.

Now, within the f- structure of the conditions, there's a certain, I guess, pattern or theme in how we do it. The first thing is, we set what I would call operating conditions, which often includes performance criteria, performance outcomes, performance measures, there are different words for it. Now, those are essentially the strict criteria that the, the proponent must comply with, um, regardless, uh, of how they're gonna operate. Now below that are a series of management plans, sometimes for particular issues that we think require ongoing management. And within the category of management plans, there is a range of how detailed and how much oversight is required. So I think in this case, there are the 10 plans, or 14, if you were to count the sub-plans as well.

That is, uh, I would say, not as many as a number of other mining projects that we've seen. And, and I guess that reflects in some ways that there are certain issues that we don't think that a management plan is necessary, because we have enough information now to just require strict compliance with operating conditions. But it isn't unusual to have 10, 15, even in excess of 20 management plans for, for a complicated site like this. Now below the management plans... within the management plans, I should say, there is also a, a general sort of structure, and it's basically that they have to go away, describe the baseline conditions, describe, uh, the, the levels that they're going to achieve in any particular area, they're often required to have a trigger action response, and we can talk about that if you'd like, and then they're required to monitor closely and track over time.

And then separately to that, as a general overarching set of conditions, we require companies to report on everything on a regular basis, and then on top of that, we have a special sort of condition in our, our approvals that require independent environmental audits. So it's not just the company reporting to us and us checking, there is another layer of regular independent environmental audits. So I guess it's a long-winded response to your question, but I think it's important to show that we have a very comprehensive way of assessing what is a unique type of project, and it's been shown to be successful for mining projects for at least the last 20 years. And as I say, we are continuing to build and grow our resources in the post-approval and the compliance space to ensure that these types of projects, if approved are operated in accordance with the rules that are set in the, in the... their approvals. I'm happy to take more questions on that. But I feel like I've already given you quite a bit of detail.

Commissioner Duncan:

No, that's, that's fine. Thanks, Mr. Preshaw. Look, uh, we did have a couple of other questions, but you've largely answered those. So we will reflect on what we've gathered in the last few days and if we need to reserve the right to come back. Uh, but look, thank you for, uh, being present today and, and outlining the department's position. Thank you very much.

Clay Preshaw:

Thanks for your time.

Commissioner Duncan:

So that, that brings us to the end of this public hearing. Thank you. Uh, the public hearing and debate Bowdens Silver Project SSSD 5765 is formally closed. Thank you to everybody that it has participated in this important process. Claire Sykes, Peter Cochrane, and I, really appreciated the input of everybody in the last few days. Just a reminder, it's not too late to have your say on the application. As I've said a number of times, simply click into the make a submission portal on our website, or send us a submission

via email or post, and the deadline again is... for written comments is 5:00 PM, Australian Eastern Daylight Time on Friday 24th of February 2023.

In the interest of openness and transparency we'll make... we'll be making a full transcript of this public hearing available on our website in the next few days. At the time of determination, the commission will publish its statements and reasons for decision which will outline how the panel took the community's views into consideration as part of its decision-making process.

Finally, a, a quick thank you to my fellow Commissioners Claire Sykes, and Peter Cochrane, and also to our counsel assisting Dr. James Smith, and could I also thank all of the sports... support staff and people helping us to undertake this hearing. Thank you for all the contributions, your attendance, uh, for those watching, uh, we hope, uh, you can reflect on, on the last three days and, uh, go away and enjoy your weekend. So from all of us here at the commission, thank you, and good afternoon.