### 17 February 2023

## RE: Submission opposing Bowdens Silver Mine in Lue

Dear Commissioner,

I am writing to express my strong opposition to the proposed new silver mine in Lue.

I grew up in the Mudgee region and regularly visit family and friends there, as well as conducting business there as a filmmaker and writer. In this capacity, I believe this project would have devastating consequences for both the natural environment and local community, including the valuable sectors of tourism, agriculture and the arts within the Lue region.

I would like to outline my specific concerns according to the following key points:

# 1. Bowdens Silver has no previous experience or proven capacity to mitigate the serious environmental impacts that this mine would present to the community, especially related to water quality and security.

Based on the flawed rainfall modelling and inadequate environmental assessments provided by the company in its submissions, it seems Bowdens Silver is unable to adequately predict and plan for the risks associated with the proposed tailings dam and water table near the mine site.

Even small mistakes coming from these flawed models would have dire and long-running consequences for neighbouring properties and the wider community. The potential benefits from this new mining operations come nowhere close to outweighing the devastating risks of water contamination from toxic chemicals like lead, arsenic, cadmium, mercury, and sulfuric acid to the hundreds of residents along Lawson Creek and Cudgegong River.

As far as I can tell based on submissions by Bowdens and expert opinion during IPC hearings, the company has not sought input of independent third-party auditors to ensure the accuracy of the rainfall data and water modelling used, and therefore should not be allowed to test their cherry-picked theories on the local community.

# 2. The regional area of Lue, Rylstone and Mudgee is no place for a toxic mine, specifically including the tailings dam detailed in the proposal.

This area has a rich history of thriving traditional cultures and generations-old agricultural operations, as well as a growing tourism sector, that does not align with any large-scale mining operations, let alone one as toxic as silver and lead.

The company's proposal for a tailings dam is of particular concern, given its own predicted allowance of 1.6ml daily leaching of toxic waste into the surrounding environment. The close proximity of regenerative farming operations, organic vineyards, world-class tourism and hospitality ventures, and children's facilities including Lue's primary school, does not make this site appropriate for a tailings dam that is expected to leach at least some amount of lead, arsenic and cyanide, even if the company's lowest estimation of 1.6ml per day are correct. As far as I can tell from Bowden's proposal documents and information from the Lue Action Group, there has been no offer of compensation or details for potential repatriation of these toxic substances to neighbouring property owners or residents who will have to live with them. In considering the risks associated with the proposed Bowdens Silver tailings dam, I note the following social and environmental disasters associated with silver mining operations that use tailings dams within our living memory:

- Mount Morgan Mine (Queensland, Australia): The Mount Morgan Mine, which operated from 1882 to 1981, was one of the largest gold and copper mines in Australia. However, it also produced large amounts of waste material, including tailings containing heavy metals such as arsenic, cadmium, and lead. In 1992, heavy rainfall caused a breach in the mine's tailings dam, resulting in a significant release of contaminated water into the Dee River. The spill caused widespread damage to aquatic ecosystems and led to the deaths of thousands of fish.
- Broken Hill Lead Mining (NSW, Australia): The Broken Hill Lead Mining area has been one of the largest lead mines in the world for more than a century. However, the mine has also been associated with significant environmental and health impacts, including soil and water contamination, elevated blood lead levels in local residents, and the death of birds and other wildlife. In 2009, a spill at a lead processing plant operated by the mining company Perilya led to the release of lead-contaminated material into a nearby creek, causing damage to local ecosystems and prompting health warnings for nearby residents.
- Golden Cross Mine (Coromandel, New Zealand): The Golden Cross Mine, which operated from 1991 to 1998, produced gold and silver. However, the mine's waste material, including tailings, was stored in a dam that was prone to leaks and breaches. In 1995, a breach in the dam caused a significant release of contaminated water and sediment into a nearby stream, leading to the deaths of fish and other aquatic life.

Can Bowdens Silver, or the governing environmental and health authorities tasked with assessing compliance and performance of the mine site, honestly guarantee that its tailings dam will not end up being a similar disaster?

It seems unconscionable to allow a company with no experience in managing such a waste resource to test its theories in such a valuable region, when we already have so many recent and local examples of what can go wrong. We need to learn from past mistakes such as these, especially given the volatile weather patterns and increased flooding risk associated with ongoing climate change.

3. The mine threatens several endangered species that have a much higher preservation value than the profit potential of the operation.

Across the proposed 457 hectares of native habitat to be cleared, there are several vulnerable or endangered species and some critically endangered communities that will be put at risk.

It is staggering that planning departments would even consider such a large scale mining operation in a completely greenfields site when it seems to be so starkly contrary to the NSW Koala Recovery Plan, let alone one that proposes razing a tract of critically endangered Box Grassy Woodland communities, as well as destroying known habitat of the critically endangered Regent Honeyeater and Swift Parrot.

While it is clear that any mining operations in this area would certainly not pass the 'pub test' based on environmental concerns, I would urge the commission to consider the independent and expert findings of Dr Michael Aberton and Dr Peter Serov in the report already submitted, which detail the flawed methodology and insufficient datasets provided by Bowdens Silver in the environmental assessments of the project.

In particular, this report notes that the company has:

- Failed to adequately identify nesting tree hollows and mitigate losses of this vital habitat for threatened barking owls, squirrel gliders, and other fauna;
- Failed to meet the criteria of the NSW Koala Recovery Plan in preventing further fragmentation of suitable koala habitat;
- Failed to consider all potential reptile and amphibian species within the proposed site;
- Failed to adequately define and mitigate losses of critically endangered Regent Honeyeater and Swift Parrot habitat within the proposed mine site;
- Failed to represent the high value of critically endangered ecological community, Box Grassy Woodland, within the mine site, as well as underestimating the impact of reduced groundwater of remaining communities near the mine site; and
- Failed to account for or adequately predict the full, long-term impacts of its mining operations on the surrounding environment over the life of the project.

Given these considerable failures, I would urge the Commission to reject the Bowdens Silver mine proposal based on its significant environmental impacts. The risks to several species of flora and fauna vastly outweigh the potential profit benefits of the mine for a small group of stakeholders and benefactors.

### 4. Bowdens has no capacity to provide net positive benefits of this mine.

When balancing the risks and benefits of mining with the existing social and economic interests of the community, it is current global best practice for mining companies to aim for a 'net positive' approach to managing the operation over the life of the mine. That is, rather than simply seeking to minimise negative impacts of the project, mining companies should aim to create a net positive impact on the environment and local communities. This goes above the expected employment opportunities or increased economic stimulation brought by the mine and may involve investing in restoration and rehabilitation projects, supporting local economic development, and promoting sustainable tourism and agriculture.

In my personal review of the company's proposal and submissions to date, I have not seen any such attempts to provide a net positive approach to the community in this project. Nor have I been able to find any evidence that Bowdens has sought to satisfy other best practice outcomes that balance the competing interests of the company and community, such as authentic consultation with landholders or traditional owners, compensation or investment for affected residents, or proven experience in managing similar operations.

For these reasons, I urge the Commission to reject Bowdens Silver's proposal for a State Significant Development in its Silver Mine at Lue.

Thank you for taking the time to consider my concerns.

Sincerely,



Lucy Robertson.