OLIVE and OLIVE OIL PRODUCTION IMPACTS

Dear Commissioners

Bentivoglio Olives and Rylstone Olive Press, for 26 years, have grown our olives and process them into health giving extra virgin olive oil. We process for ourselves and for many other olive growers in our region and in NSW.

Our olive trees have been planted with a life expectancy to produce oil olives for >300+ years.

In fact, our olives are a carbon footprint offset of 320 tons CO2 absorption per year and fixed in the soil and we are an excellent benefit for the Australia’s environment and climate change.

Our olives and olive oil will be severely impacted by toxic dust dispersion from Bowden’s mine.

This will accumulative over the life of the mine and rehabilitation of the mine.

However, Tony McClure, CEO Bowden’s stated at the IPC hearing in his address that Bowden’s may continue mining for 50years.

The unacceptable impacts of this mine on the production and processing of our National and International award winning extra virgin olive oil is not tolerable. The impacts from the mine is not for a viable olive production and extra virgin olive oil processing plant.

The olives will take up the metal dust deposit of 4gram/sqm/month as recommended by DPE and the water will be contaminated in colour and flavour. Apart from our supplementary irrigation of our trees, 600 litres of potable water/ per ton of olive fruit is required for olive oil processing this will render all our extra virgin olive oils under CODEX certification, from organoleptic assessment, as Lampante oil also known as inedible oil, with no olive component in the oil. Hence a health giving agricultural food product will be rendered toxic immediately.

We also believe the unacceptable impacts of lead in the processing water will contribute to the cessation of our continuous olive oil extraction processing plant. This machinery is an integral part of our olive oil processing business and will require ongoing replacement due to contamination of metallic particles not filtered enough in the water and which is a financial burden we cannot sustain.

The DPE states the following to minimise harm, however, there has been no consultation with our industry for the viability of continuing our health giving olive oil production 5km from the mine site. Nor any consultation for the impacts of their toxic mine on our family, friends, employees and contractors and olive clients and tourism visitors to our cellar door.

Therefore this obligation to minimise harm is just lip service from the DPE on behalf of Bowden’s mine!

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

In addition to meeting the specific performance measures and criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, or rehabilitation of the development.

Olive Grove Carbon footprint offset

Our 8,000 trees are a viable carbon footprint. Our olive trees are capable of fixing CO2 into the soil at 320 ton per year.

Blasting Hours

B12. The Applicant must only carry out blasting on the site between 10:00 am and 4:00 pm (Monday to Saturday inclusive). No blasting is allowed on Sundays, public holidays or any other time without the prior written approval of the Planning Secretary.

Blasting Frequency

1. B13.  The Applicant may carry out a maximum of: 1 single blast eventa a day; and

5 single blast events a week, averaged over a calendar year.

1. B14.  Condition B13 does not apply to single blast events that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or to blast misfires or blasts required to ensure the safety of the mine, its workers or the general public.

Note: a For the purposes of conditions B13 and B14, a ‘single blast event’ means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event.

INDEPENDENT REVIEW

1. C7.  If a landowner considers the development to be exceeding any relevant air quality, noise or blasting criterion in PART B of this consent, they may ask the Planning Secretary in writing for an independent review of the impacts of the development on their residence or land.
2. C8.  If the Planning Secretary is not satisfied that an independent review is warranted, the Planning Secretary will notify the landowner in writing of that decision, and the reasons for that decision.
3. C9.  If the Planning Secretary is satisfied that an independent review is warranted, within three months, or other timeframe agreed by the Planning Secretary and the landowner, of the Planning Secretary’s decision, the Applicant must:

commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Planning Secretary, to:

consult with the landowner to determine their concerns;

conduct monitoring to determine whether the development is complying with the relevant criterion in PART B of this consent; and

if the development is not complying with the relevant criterion, identify measures that could be implemented to ensure compliance with the relevant criterion;

give the Planning Secretary and landowner a copy of the independent review; and  
comply with any written requests made by the Planning Secretary to implement any findings of the review.

REPORTING AND AUDITING Incident Notification

The Planning Secretary must be notified in writing via the Major Projects Portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 8.

Non-Compliance Notification

The Planning Secretary must be notified in writing via the Major Projects Portal within seven days after the Applicant becomes aware of any non-compliance. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

Within three months of:  
the submission of an incident report under condition D7;  
the submission of an Annual Review under condition D9;  
the submission of an Independent Environmental Audit under condition D10; or  
the modification of the conditions of this consent (unless the conditions require otherwise),

the Applicant must review and, if necessary, revise the studies, strategies or plans required under the conditions of consent to the satisfaction of the Planning Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Planning Secretary for approval, unless otherwise agreed with the Secretary.

The above conditions in the DPE Conditions of consent ‘recommended for approval’ report for the Bowden mine are not acceptable for olive production and processing of extra virgin olive oil at Bentivoglio Olives and Rylstone Olive Press.

The DPE have not considered the agricultural community surrounding this toxic mine including the Bentivoglio Olives and Rylstone Olive Press.

**Therefore, we request acquisition of all agricultural land and business’ for a 17km radius from the mine be enforced by the planning secretary, upon approval of this toxic Bowden Mine.**

Jayne Bentivoglio

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Bentivoglio Olives and Rylstone Olive Press