



Sue Higginson
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The Commissioners
Independent Planning Commission
Via website - <https://www.ipcn.nsw.gov.au/make-a-submission>

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Dear Commissioners

Bowdens Silver (SSD-5765)

I am writing to make a submission against Bowdens Silver (SSD-5765) mine near Mudgee.

I am a Greens Member of the Legislative Council and the spokesperson for the environment. I am also an environment and planning lawyer who has spent decades working in the field of public interest environmental law. I have been contacted by members of the local, regional and state community who are very concerned about this project.

If this project is allowed to proceed, I have grave concerns about the impact that the mine will have on the environment and community health in the local area as well as the impact on local businesses and council infrastructure.

I also don't accept that conditions of consent will be able to acceptably mitigate such impacts.

Environment and Habitat

The proposed mine site requires the clearing of 457 hectares of land, including Critically Endangered Ecological Communities like Box Grassy Woodland. Critically Endangered Ecological Communities must not be cleared for development anymore. Once a woodland is listed as Critically Endangered it is very close to extinction. This means that scientifically there is in fact a question over whether it can recover to a conservation status where it is no longer threatened with extinction. For a woodland community to no longer be critically endangered or at risk of extinction it needs to move up or down the ladder, depending on where you place extinction at the top or the bottom, from critically endangered, to endangered, to vulnerable then to existing in the landscape. This is why the principles of any offset system with integrity has a rule against allowing critically endangered species, populations or communities to be offset.

Allowing the clearing proposed will also have a significant impact on several critically endangered species through disturbance and fragmentation of habitat for Koalas, Regent Honey-Eaters and Swift Parrots. Again, clearing such important habitat for critically endangered species can not be offset.

Habitat fragmentation and destruction is a leading cause of species decline and extinction. The effect of the mine on Koalas may be greater than the immediate impacted area and is likely at odds with the overall objectives of the NSW Government's Koala Recovery Plan.

Changes to surface water flow, increased dust and toxic tailings dams are likely to further exacerbate the impacts of the mine on local biodiversity.

Water Security and Quality

The mine proposes to use 5 megalitres of water everyday and is currently proposing to capture surface run-off and water from Lawson Creek for their operation. This amount of water will have a significant impact on local water security with a projected loss of flow in Lawson Creek of around 11%.

Bowdens' assertion, that this amount of water being removed from the local area will have a minimal impact, is flawed. It relies heavily on data collected during high average rainfall estimates and fails to adequately take into account the regularity and severity of drought conditions.

Although the assessment by Bowdens includes an assessment of local groundwater risks, there must be an independent and peer reviewed assessment undertaken to ensure that there is an absolute guarantee that cyanide and heavy metals will not contaminate groundwater. Any independent assessment should model the local hydro-geological processes so that potential impacts to groundwater can be fully understood.

The mine and the proposed tailings dam present a serious risk of contaminating the water table, Lawson Creek and the Cudgegong River with acid leakage, cyanide and heavy metals such as lead. This is an unacceptable risk for the community and the environment and the site is proposed to store toxic waste for decades or even centuries with no real plan for how to manage this waste beyond the lifespan of the mine.

Public health and Social Impact

The proposed mine seeks to disturb and excavate 95,000 tonnes of lead as part of their operations. This will occur just 2 kilometres from a local primary school and presents an unacceptable risk of exposure to young people who are especially susceptible to lead poisoning.

The lead that will be disturbed has 50 times more volume than the silver that the mine will extract and lead ore will be handled at several stages in the mining process, including during excavation, processing and then as lead particles in tailings and waste rock.

Given the amount of lead that is proposed to be disturbed and stored during the course of the mines operation, and the adjacency to education facilities and communities, I believe that there should be a much more detailed assessment by the proponent before approval can be considered. There should also be an independent peer review process of the data contained in the EIS so that air quality, dust and human health impacts are fully considered.



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This is of great concern for those living in Lue, young children attending the Lue primary school and agricultural producers who rely on clean air and contaminant-free water.

The 15 year proposed lifespan of the mine will have a long-term and serious impact on the community of Lue. The residents of Lue are faced with the following prospects:

- Having to choose between tolerating unmitigated noise and dust, or living in a fully enclosed (air conditioned) dwelling.
- Living with on-going risks to health, and tolerating regular testing for lead in soil and water.
- Anxiety due to risks to health, particularly affecting young people and potentially realising adverse health impacts had occurred.
- Loss of many amenities of a rural way of life, including home grown food, open windows, line clothes drying.
- Loss of sense of place and visual amenity.
- Anxiety due to loss of property values, and inability to realise the previous capital value of homes and property because of the proximity of the mine.
- Loss of permanent residents despite the fall in the property values.

Lead, zinc and silver will be trucked on B-Doubles six days per week, from 7am-6pm, along the Lue Road and through Mudgee. This will mean up to six B-Double truck movements along the Lue Road and through Mudgee per day, six days per week. This doesn't include obvious increases in worker and construction traffic, or additional supply materials including dangerous processing chemicals like cyanide, arsenic and antimony.

Conclusion

Bowdens Silver mine (SSD-5765) should not be given development consent by the IPC. It presents an unacceptable risk to the environment and community and the assessment process has not been rigorous enough to provide certainty.

The life-span of the operations of the mine and the ongoing storage of toxic materials beyond the operational life is inadequately considered for the permanent impact that it will have on the local area.

I urge you to refuse this project.

Thank you for the opportunity to provide feedback for this review,

Sincerely,

Sue Higginson

**Greens Member of the
Legislative Council**