

**Submission  
No 81**

**IMPACTS OF THE WATER AMENDMENT (RESTORING OUR RIVERS) ACT  
2023 ON NSW REGIONAL COMMUNITIES**

**Name:** Ms Andrea Driver

**Date Received:** 14 April 2025

I am extremely concerned to learn of the risks to the Federal Water Amendment (Restoring Our Rivers) Act 2023 that are potentially going to be created by the Bowden's Mine proposal to take unlicensed water as explained below:

Mudgee Region Action Group is concerned with Term of Reference (b) and the impact of the unlicensed take of clean and contaminated water in Excluded Works Exemptions.

#### Terms of Reference

b) the risks to the effective implementation of the Federal Water Amendment (Restoring Our Rivers) Act 2023 including unlicensed take of water and options to address these risks such as rules for floodplain harvesting

#### Why we are concerned

Bowdens propose to construct dams to capture, take and use 924 megalitres of rainfall and run off water on the mine site. Under the Excluded Works Exemption, landowners are allowed to capture unlimited amounts of contaminated water.

The entire catch of contaminated water under this exemption is unlicensed.

#### Risks

Impact on the flow of Lawsons Creek and other water users in the Lawsons Creek Valley.

On average 924 megalitres of contaminated water will be caught on the site every year and given the toxic nature of the waste from silver, lead and zinc mining, no water can be released. During periods of heavy rainfall and flooding it is likely contaminated water will leave the mine site.

Other projects in NSW are also using the Excluded Works Exemptions with unknown consequences and impacts to the Murray Darling Basin.

NSW DPHI recommending State Significant Developments without adequate water supplies  
The NSW Department of Planning, Housing and Infrastructure is allowing State Significant Developments in NSW use this exemption to provide their water requirements with the condition that The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply. The NSW DPHI is not requiring State Significant Developments to provide licenced water for their needs. Unlicensed water is unmetered and unregulated and the NSW Government and its Agencies have not considered licenced water users or any other water users in their allowance of this rule.

#### Cumulative Impact of Unlicensed Water Take on the Murray Darling Basin

The NSW Government's Water Group is unable to provide the cumulative total of the contaminated water take in NSW and therefore impact of this unlicensed take on the Murray Darling Basin is unknown.

I wish to lend my strong support to the request that the Committee investigate the cumulative impact of the unlicensed capture of contaminated water on the Murray Darling Basin Plan and ensure that it is included in the Sustainable Diversion Limits in the Murray Darling Basin Plan.

This LEAD mine that threatens to destroy our area IN SO MANY WAYS cannot be allowed to source the water they need in this way. IT IS A PLAIN AND SIMPLE FACT THAT THE WATER THEY NEED IS NOT AVAILABLE WITHOUT CAUSING A MASSIVE IMPACT ON THIS AREA.