

**Submission
No 13**

**INQUIRY INTO CURRENT AND POTENTIAL IMPACTS OF
GOLD, SILVER, LEAD AND ZINC MINING ON HUMAN
HEALTH, LAND, AIR AND WATER QUALITY IN NEW
SOUTH WALES**

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There is a new dispossession beginning in the Mudgee region. An invader has come, seeing nothing and no one of consequence on the land they wish to exploit. This invader is being enabled by governments and systems of rules, regulations, processes, laws and assumptions that need to change. Let me tell you about us and our experiences of devastating failures on the part of developers and governments in relation to heavy metal mining.

OUR HOME

Our land is immediately adjacent to the Bowdens Project. Bowdens Silver and the Department of Planning and Environment have never pretended to care what happens to us as we contemplate retirement from farming or to our land which is a treasure trove of environmental and cultural values. If this project proceeds we face the situation where we will be unable or unwilling to continue living and farming here and unable to sell our property. Our land includes endangered peatlands and swamps, stands of endangered and vulnerable trees, endangered and vulnerable birds and animals, underground water, native grasses, restored wetlands, remnant vegetation fenced off and protected, restored woodlands, and hugely significant registered indigenous sites. These things have been here for many, many thousands of years. No one from Bowdens has ever asked to monitor or even see any of them. Our experiences with Bowdens and the DPE make it clear that our interests and our remarkable property will be ignored should this devastating project be allowed to proceed.

FAILURES OF THE DEPARTMENT OF PLANNING

In failing to provide rigorous oversight of this project the DPE and its officers have failed in their obligations to the people of the Mudgee region. They have wilfully, recklessly ignored irrefutable evidence that the project will cause harm and leave a permanent toxic legacy to families, farms, land, water, and whole communities. It has deferred rather to barely qualified in-house "health experts" or unsubstantiated assertions from the proponent. It has been left to the community to engage and pay for truly independent expert advice on lead, water and social and economic impacts. This is an indictment of the regulatory framework and the current approvals process.

The DPE has unquestioningly accepted laughable "modelling" from the proponent in relation to water when the merest glance at the situation on the ground around rainfall and creek flows would have shown much of this modelling to be fantasy. It has supported the proponent in its decision that Groundwater Dependent Endangered Ecological Communities immediately to the east of the site should be ignored.

The DPE continues to collude with the proponent in the inexplicable but unquestioned assumptions that permanent, sustainable jobs in agriculture or tourism are less important than temporary jobs in mining, that offsetting is anything but a sham, that people directly affected by this project have been adequately consulted and informed, that the Mudgee region needs or will need more mining jobs, that it is ever acceptable to increase exposure of communities to lead poisoning and waterway contamination and that Bowdens EIS is anything but deceitful, incoherent, and utterly inadequate. The DPE along with the proponent continues to promulgate the indefensible claim of "balance", that it's acceptable to cause lasting loss and harm to whole communities because some others may benefit.

FAILURE TO CONSIDER ECONOMIC IMPACTS ON LOCAL BUSINESSES, FARMS AND HOMES

The DPE continues to insist along with the proponent that this project's effects on other industries such as agriculture and tourism don't need to be considered. They insist that the situation where locals who are unable or unwilling to live in their homes, farms and communities cannot sell them is of no importance. Talk of "balance" is meaningless when the people suffering the dreadful consequences of metal mining see none of the "benefits". This must change now.

FAILURE TO UNDERSTAND CUMULATIVE, IRREVERSIBLE HEALTH IMPACTS OF LEAD POISONING

Bowdens is a lead mine. The value of the tiny proportion of Silver may be of interest to Silver Mines Limited, Mr McClure and his fellow shareholders but it is of no relevance to the people of Rylstone, Lue, Mudgee and the Lawson Creek Valley. Most consequentially, around half of what will be dug up, processed and transported through several towns is lead. Lead is poisonous to humans to the extent that there is no safe level of lead in the blood. The proponent's own data show increased risk over a wide area, particularly for those families to the east of the site, several with young children. This risk cannot be avoided, managed, mitigated or made acceptable. These weasel words attempt to mask the brutal reality of the impacts of metal mining. The suggestion that because a small risk of exposure to lead exists in the community it is acceptable to increase that risk is unconscionable.

FANTASY OF "OFFSETTING"

Offsetting is a sham. It is dishonest and the collusion between proponents and governments to pretend it is anything other than a total failure to protect environmental values is shameful. SVL might buy already protected land containing koalas but the koalas on and around Bowdens will still die. They might buy already protected land containing endangered woodland flora and fauna but the Box trees around Bowdens mine site will still disappear. Nothing can change the terrible reality and irreversible nature of these losses.

FANTASY OF MODELLING AND AVERAGING AROUND WATER

Bowdens modelling around water bears little relationship to the situation on the ground in the Lawson Creek Valley as could have been easily ascertained by the DPE if they had any inclination to do so. Both Bowdens and the DPE have ignored sets of meticulously kept records of actual rainfall in the immediate area going back many decades and generations. They have relied on averaging of modelled rainfall and water flows which tells you nothing about the situation on the ground at any given time. They have relied on modelling of flows in Lawson Creek when an actual water flow monitor in the Creek shows the flow in Lawson Creek is a fraction of the average flow offered by SVL and uncritically accepted by the DPE. They have predicted a drop in flows in Hawkins Creek of 1 or 2 metres when any one who has actually laid eyes on Hawkins Creek knows that such a decrease would cause it to disappear. This again is inexplicably lazy and incompetent on the part of the Bowdens and the DPE.

The use of averaging and modelling in an EIS avoids engagement with actual, real time, on the ground effects of heavy metal mines.

CORRUPTION OF "CONSULTATION" PROCESS

Bowdens continues to claim an excellent record of community consultation. They have certainly spent a lot of time consorting with people and organisations who have been promised or provided with jobs or regular payments of various kinds. Not so much with the people immediately affected by the project. When the project was planned to encroach on our land, we were not told. The families who face the biggest increases in exposure to lead were not told by the DPE or the proponent. It is not good enough when such information is buried in a mountain of other information accessible through a link on a website. It is not good enough to proclaim an open door policy when people affected by the proposal are left to guess there might be something they need to ask questions about. SVL sending out a few people to say they are receiving money from the proponent and wish to continue receiving money from the proponent throws no light on anything and must be ignored. Like so much else, consultation is a sham. At best it has come to mean proponents will "sponsor" local sports and maybe tell people directly affected what is happening when they get round to it.

RADICALISATION OF COMMUNITIES AND FUTURE RESISTANCE

Local communities around the Bowdens Project have been awe inspiring in the monumental, draining, expensive task of oversight and then resistance to this devastating project. This task should never have fallen to them and the NSW Planning system must be condemned for the fact that it did fall to them. They would be entitled to seek recompense. They are clearly tired and will get more tired. They have lost any faith in their representatives and institutions and processes of government. It is also clear a massive, united, diverse, organised, inspired, active community will continue to pursue all avenues of resistance to this devastating proposal and never ever give up the fight for the families, farms, businesses and communities of Rylstone, Lue, Mudgee and the Lawson Creek Valley.