

**Submission  
No 103**

**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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I write this submission to you today because my wife came to me and said, “you know, if this mine goes ahead we are going to have to talk about moving.” I knew she was talking about our six year old son, and I knew she was right.

I am fortunate to live and work in the beautiful town of Kandos, in Mid Western NSW, where I have settled to raise my family. This place has given me so much that I never expected from my life. I own my own home, and have become a welcome member of this close knit community. I have run for council, and served for several years as the secretary of the business chamber. Kandos is a mining town and has lost the industry that has served as its economic base for a hundred years and I understand what the prospect of having a mine would mean in terms of jobs. But my experience with the process of approval of the nearby Bowden’s silver mine has given me nothing but a deep anxiety and concern for the future of my community. Instead of the happy prospect of a prosperous future, the approach of this mine threatens my future and that of my family with the prospect of a toxified landscape and an unsafe and unhealthy environment left for us to live in.

Both the active facilitation of this project by the Department of Planning and Environment and the seemingly foregone conclusions of the Independent Planning Commission has convinced me that this system is working to approve mines in complete disregard of the risks and costs to the communities that will be local to them. Time and again I have witnessed the goalposts moved and the values and safeguards, and even the advice of their own experts ignored in order to facilitate an approval process that proceeds with the inevitability of a slow moving train, on rails and possessed of a mass and momentum that will brush aside any resistance it meets with complete indifference. My impression is that this system is designed to give the appearance that it considers and weighs evidence, that it consults with the concerns of the local community, and that it modifies and reconfigures the project to meet the rigorous standards that are meant to regulate the industry. What I have experienced instead was a system that changed its rules and expectations, that lowered the bar to meet the inability of the project design to address the risks to the environment and health of those it would impact. I have witnessed a process in which the wants of the mining company seemed to lead the approval process, in disregard of the expert advice of both the government and the community. It is very clear that those who have led this process are committed to its approval at a cost that will ultimately fall not on themselves, but on those of us who live in proximity to the process.

My concerns about this particular mine are these:

They don’t have enough water. The original plan was to cart water in from the coal mine at Ulan. When this proved unfeasible, they claimed they would take it from Lawson’s creek. When it turned out that this was not possible, they simply reconfigured their numbers and discovered that they only needed as much water as fell on the catchment of their land. I lived through the last 9 year drought and I know from painful experience that there wasn’t enough water to wash your car much less suppress lead dust from an open cut mine.

They will poison our water. Their plan involves a 1.6 megalitres of leachate leaving their tailings dam and entering the water table above Lawson’s Creek as a normal part of operations. Lawson’s Creek serves as Gulgong’s drinking water. What’s more, they have put

their tailings dam onto a fault line and will only have a single wall and so no safeguard against catastrophic failure.

Their proposed plan against Acid Mine Drainage is untried, and consists of putting a huge tarp over the rock that is removed from the site. How it is that they conceive that this tarp will not degrade over time and allow water and oxygen to release sulphuric acid from the rock, is never addressed.

Bowdens' modelling fails to take into account lead exposure from dust carrying lead particles, which the NSW Department of Planning & Environment recognised as a key pathway for lead particles to leave the site.

These are just a few of the objections to the mine, backed by independent experts and seemingly ignored in the process that has seen this mine approved. None of these objections got a look in when the ipc decision was made. The process asked for our perspective and when we provided it, it was efficiently ignored. The nature of this process was confirmed for me by the very structure of the IPC hearing, which arbitrarily excludes the possibility of a merits based appeal. This cynical bit of legislature is blatantly designed to create a process that disenfranchises a community that is dissatisfied with the decision. The entire process eliminates any social licence it pretends to build, and while it stands in the eyes of the law, it loses all legitimacy in the eyes of those whom the laws are meant to protect.

To conclude I would like to list a few things that I believe would be important outcomes of this inquiry:

A rigorous examination and restructure of both the DPE and IPC that will see these regulatory bodies better suited to their regulatory obligations and less dedicated to facilitating approvals

The elimination of the no merits based appeal attached to the IPC public hearing

A reevaluation of all mines recently approved under the current system

Empowering of the EPA, including raising the maximum fine amount to something that will actually influence the behaviour of mines and the strengthening of the ability of the EPA to shut down a mine that is not meeting its obligations.

An increase in the royalties charged to mining companies to put more of the value they extract to public benefit.