

Submission
No 117

**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**

Name: Mrs Jayne Bentivoglio

Date Received: 5 September 2023

Partially
Confidential

Portfolio Committee No. 2 inquire into and report on current and future impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales,

Submitted by: Jayne Bentivoglio

Date: 5 September 2023

Summary

This submission is for:

Rylstone Olive Press and Bentivoglio Olives.

We challenge the current process and regulatory framework for reviewing and approving applications for underground and open cut mining in NSW.

a. The impact on the health of local residents and mine workers, including through biomagnification and bioaccumulation,

The impact on our health and the health of all people living and working at Bentivoglio Olives and Rylstone Olive Press will be greatly affected by the dust dispersion from the Bowden's Mine. This is due to the accepted levels of toxic dust deposits by the:

Department of Planning Conditions recommended December 2022, and, the IPC Conditions:

230403 Bowdens Silver Project SSD 5765 Development Consent,

Stating that 4gm/sqm/per month total toxic dust deposit is allowed to fall on the roofs of our home and our Rylstone Olive Press cellar door, conference centre and olive oil processing facility.

The toxic dust is allowed to fall onto any of our family and staff working in the gardens and the 8,000 tree productive olive grove.

The dust will contain particles of PM2.5, particularly dangerous for the ingestion of lead, zinc, arsenic, Cadmium and silica and PM10 which will in heavy wind dispersal deposit on our trees and onto the pasture sward.

Report for Dust Monitoring at Rylstone Olive Press 6 August 2018, Mark.P.Taylor, with attachment graph of Site A Monitor Lead dust

Showing January 2018 is a high spike in lead deposit caught in the monitor from exploration core drilling at Bowden's Mine site.

b. The impact on catchments and waterways, affecting both surface and groundwater destined for, local and town water supplies, including rainwater tanks, and on aquatic biodiversity,

At Rylstone Olive Press we process olives into extra virgin olive oil for ourselves and many other olive growers in Central West New South Wales. We have been producing award winning extra virgin olive oil since 2001, 22 years. Our water sources are the rain we catch and the 65 megalitre licenced dam we catch surface water for irrigation for our 8,000 tree olive grove. *See power point photos attached*

**NSW Upper House
Portfolio Committee No. 2 – For Rylstone Olive Press**

Water for drinking and processing extra virgin olive oil must be within drinking water standards as potable water. Our conference room, cellar door and function area relies on our beautiful rainwater that we harvest and hold in 4 x 120,000 Litre store tanks. All this water will be contaminated by the dust deposits from Bowden's Mine.

It is clear in Mark Taylor's report on Rylstone Olive Press that the dust monitor A placed at 5.3km directly South West of the Bowden's Mine site and in direct line of sight of the mine recorded between January 2018 – May 2018, higher than the average dust deposits for Arsenic, Cadmium, Copper, Lead, Silver and Zinc. Bowden's Mine have been asked to clarify what production was being undertaken at the time and they confirmed they were diamond core drilling at the site in January but will not disclose what other operations took place during that time.

We have contacted neighbours on all sides of the property and from where there could be an impact, however, as it was in the middle of the drought, no primary production was taking place between January-June 2018, either, in our olive grove, nor in our neighbours paddocks.

See attached *Report for Dust Monitoring at Rylstone Olive Press 6 August 2018, Mark.P.Taylor, with attachment graph of Site A Monitor Lead dust*

c. The impact on land and soil, crops and livestock, including through biomagnification and bioaccumulation,

There is not enough water in the area to effectively dampen down the toxic dust which will leave Bowden's property.

In fact, EPA, stated at a meeting 28 August 2023,

This statement gave our community the idea that we can trust the EPA, but in hindsight, looking at the Cadia residents and the dust impacts on their drinking water and roofs, we cannot trust anything the EPA says until they are given the Authority and power to implement fines to mining companies that will re-set the legislation and rules of compliance.

The impact on our olive crops is potentially devastating.

From the accumulation of toxic dust on the leaves of the olive trees producing no or loss of photosynthesis to the accumulation and uptake of lead and zinc into the sap of the trees from the soil which will accumulate over time. These heavy metals will be taken up by the olive fruit and be found in the oil cells. Processing water will contain higher values of heavy metals which will contribute to the higher range of trace elements in extra virgin olive oils.

The adequacy of the response and any compliance action taken by the regulatory authorities in response to complaints and concerns from communities affected by mining activities,

The effectiveness of the current regulatory framework in terms of monitoring, compliance, risk management and harm reduction from mining activities,

In 12 years we had not heard from the EPA until [redacted] came to Rylstone Olive Press on Monday 28th August 2023.

Bowden's Mine customer liaison officer, I saw more times buying a coffee in at a Mudgee café that I ever had the opportunity of discussing the Mine's impacts on our olives. In fact Bowden's refer to us as an emerging olive grove, when we have been an established grove at Monivae growing and producing olives for nearly 26 years.

As Bowden's Mine has been in the EIS application stage I would like to point out that Govt gives community 6 weeks only to respond to the EIS submission Bowden's made in 2020, The Department of Planning strategically announced the EIS was available in the middle of COVID and when the whole of NSW was still suffering through the middle of the pandemic.

Where as Bowden's had months upon months to respond to our submissions against the mine and yet we heard not one reply from our submissions to Government.

The same happened with the IPC hearing 2023. We were informed just at Christmas on 23rd December 2022 when everyone was away for their Christmas break. We were notified of the IPC hearing in February 2023 giving us approximately 6 weeks to prepare.

It was remarkable that the Department of Planning's Central West Orana 2041 Plan was finalised at the same time as the Bowden's EIS approval from the DPE, 22nd December 2022. I would like to point out that the rest of the NSW 2041 plans had been finalised from, approximately, September -November 2022.

f. The effectiveness of current decommissioning and rehabilitation practices in safeguarding human health and the environment,

The effectiveness of decommissioned mines in Australia and in particular New South Wales is not effective at all. There is not one closed open cut mine that does not have the dust dispersion adequately suppressed. Bowden's do not have enough water to supply this mine let alone have access to water to suppress the dust. They have also recommended that they will shut down during a drought but that will not stop the toxic dust dispersal onto our olive trees and drinking water roofs.

There is an olive grove at Broken Hill quite close to the mine and it still shows olive trees that are failure to thrive, lead dust blown trees that cannot produce adequate good fruit.

There is a co op at Broken Hill however they choose to pick and produce their olives and olive oil near Menindee rather than in Broken Hill. They also supply an unfiltered olive oil which has a very short shelf life for commercial sales, possibly less than 2 months.

Rehabilitation of Bowden's open cut mine pit is supposed to allow rain to fill the void. This will never happen and will impact on our olive grove and olive oil business

NSW Upper House Portfolio Committee No. 2 – For Rylstone Olive Press

At Rylstone Olive Press we have planted our trees to produce health giving extra virgin olive oil for 300+ years, therefore the dust impacts from the decommissioning or on going mining will continue to negatively affect the development of quality fruit and high quality extra virgin olive oil.

The certification for Extra virgin olive oil comes from the NATA accredited Wagga Wagga NSW Oils Laboratory and sensory panel. This certification is not only an Australian Standard for extra virgin olive oil, it is also the standard for International Olive Oil Council accreditation. Extra virgin olive oil cannot be sold unless it is accredited.

The Free fatty acids, polyphenols and Delta K shelf life analysis is one main analysis components. The 2nd is the organoleptic assessment for the certification of extra virgin olive oil. There must be zero faults in the blind tasting by 8 judges for the combined result of fruitiness, bitterness and pungency. **The fault of metallic is caused by the unpalatable taste of metal build up in the mouth from issues during oil processing**

g. The effectiveness of New South Wales Government agencies to regulate and improve outcomes including:

- **the measurement, reporting and public awareness,**
This is streamlined for the Mining companies it is not for the exposed stakeholders and in particular the exposed business' affected by the mining company, who will lose their value, their property value and the ability to profit from their produce as it is tarnished by the impacts of "who wants olive oil produced near a lead mine"
- **the ability to ensure the health of at-risk groups**
- Our customers, staff and families face the risk of being impacted by toxic lead dust whilst visiting Rylstone Olive Press. Functions and tourism will be impacted and financial loss will be incurred
- **the suitability of work health and safety regulations, and the capacity to respond within existing resources,**
- The Western Area Health LHD has made no contact with Rylstone Olive Press to inform and educate us on what to expect from Bowden's Lead Mine. We have independently brought in our own experts to assess the impacts of Bowden's Lead Mine on our Olive Business and the health of our customers, staff and families.
- **the adequacy of existing work, health and safety standards for workers,**
- The Mine workers may have adequate health and safety standards through OH & S however, the existing safety standards should also be available to local staff and families.
- **whether the regulatory framework for heavy metals and critical minerals mining is fit for purpose and able to ensure that the positive and negative impacts of heavy metals and critical minerals mining on local communities, economies (including job creation) and the environment are appropriately balanced.**

<https://www.ga.gov.au/scientific-topics/minerals/critical-minerals>

Bowden's Lead, Zinc and silver mine does not show on the critical minerals list see Australian Government critical minerals.

The negative impacts of mining in this greenfield area of Lue, near the school and resident families of the area, near grape production and olive production areas and 5km from Rylstone Olive Press far out way the positive impacts. The land around the mine will become worthless, jobs will be lost in all sectors of agriculture in the region,

NSW Upper House Portfolio Committee No. 2 – For Rylstone Olive Press

where now there are jobs in agriculture that are 12 times higher than Bowden's can produce.

At Rylstone Olive press we have been growing olives for 26 years and producing Internationally and Australian awarded health giving extra virgin olive oil for 22years. The health benefits far out way the toxic effects **low** lead exceedances has on cognitive brain impairment and Parkinson's Disease in adults and impaired IQ and behavioural issues in children.

Recommendations

Suspend the Independent Planning Commission's (IPC) approval of Bowden Silver Mine at Lue until the outcome of this Parliamentary Inquiry is available, to determine whether the current approval process and regulatory framework for heavy metals mining is putting the health and economy of communities in Central Western NSW at risk.

Note the metal to be extracted from the proposed Bowden Silver Mine is estimated to comprise 47% lead, 52% zinc and less than 1% silver.

Note as specified by WHO (World Health Organisation) there is no safe level of lead exposure for humans.

Note approval of a new mine without comprehensive draft Management Plans available for review to confirm the potential risks can be managed, exacerbates the risks to the health of the community.

Note Although Cadia Gold Mine near Orange is managed by an experienced mining company there have been numerous breaches over the operating mine years in relation to toxic air quality and excessive trace element mineral levels in blood levels of local residents (including children).

The management plans in this instance appear to have failed, therefore it is baffling that the IPC would approve Bowden's Mine without sighting any Management Plans.

Review the independent reports submitted by Mudgee regional Action Group, Mudgee Regional Health Alliance, Rylstone Olive Press and any other submission relating to the IPC and relating to Bowden Silver Mine.

These reports detail the risks to human health, land, soil, air and water quality on our region and our olive groves, grape vineyards and our business in the Mudgee region should Bowden Silver Mine proceed.

Attachments

The attachments listed below were submitted to the Independent Planning Commission and are included in this submission to the Upper House Inquiry.

Tab A – Health JBentivoglio submission IPC 2023

<https://www.ipcn.nsw.gov.au/resources/pac/media/files/pac/project-submissions/2022/12/bowdens-silver/20230224t065226/2023-ipc-submission-health-jb-ropdocx.docx>

Attachments

1. Rylstone Olive Press Report Mark.P.Taylor attached
2. *attachment graph of Site Monitor Lead dust*
3. *Powerpoint slides of Rylstone Olive press*
4. *Lue report Prof Mark Taylor*
5. *Professor Bruce Brew's IPC submission report*

