

Submission
No 182

**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: Name suppressed
Date Received: 19 September 2023

Partially
Confidential

Dear members of the Committee number 2 - Health

I, _____ of _____, wish to lodge a submission relevant to this inquiry.

A gold mine operated by Broula King Joint Venture Pty. Ltd. (BKJV) has operated at Bumbaldry, approximately 25kms west of Cowra, NSW since the early 2000's.

In my submission I will include the impact of this gold mining operation on and adjacent to land I controlled. I will include my knowledge of how the gold mine may have impacted on living organisms (humans, livestock and all wildlife, including animals, birds & aquatic organisms) within the vicinity of this mining operation.

HISTORY

- _____ purchased the property _____ for primary production purposes on 2nd March 2005.
- An attached grazing license _____ for primary production purposes was transferred from _____ vendor to _____
- A mining lease ML1617 was granted to BKJV on 31st March 2008 which incorporated a portion of grazing license _____.
- Mining operations on ML1617 ceased in 2014 and the mine has been in care and maintenance since. I am unaware of any proposal to restart mining on this lease.
- Agitation and complaints by BKJV to Crown Lands resulted in Crown Lands revoking grazing license on 12th July 2022. I am unaware of any complaints being made other than by BKJV in relation to my operations on _____
- License _____ was then issued to BKJV. Please note BKJV is a mining company and, historically, have not conducted business as primary producers.
- In 2013, BKJV undertook earthworks on my freehold land, _____ which are described as '*ancillary mining activities*' in the Mining Act 1992 No 29 Division 4 Rights and duties No 75. These earthworks were undertaken without permission from Mining Exploration & Geoscience which, it appears would make the earthworks illegal.
- These earthworks have resulted in the water contained within them, becoming polluted.
- Research has also shown that numerous other permissions should have been obtained prior to beginning these earthworks which would reinforce the position that their activities were illegal.
- Tests, by others, have shown that pollutants have, and are exiting the mine site (ML1617) in a southerly direction via both surface & subsurface water. I am advised NSW Environment Protection Authority are in possession of the results of these tests and have been requested to have the pollution stopped. I am led to believe, the pollution is ongoing.

IMPACT ON ALL ORGANISMS, CATCHMENTS, WATERWAYS AND ENVIRONMENT

I have included all organisms that may be negatively impacted by BKJV's mining activities and these would include humans, livestock and all wildlife, such as animals, birds and aquatic creatures.

Water flowing from the excavation undertaken by BKJV on my property enters Tyagong Creek which meanders and flows into major waterways.

_____ of _____ was commissioned to take samples of water and soil from the earthworks area on my property _____ and to have these samples tested. The results show that the water has elevated levels of suspended solids, aluminium, iron, arsenic, chromium, copper, nickel, lead and zinc exceeding the Agricultural and Fresh Water Ecosystem Criteria. The levels of these elements are greater than the Freshwater Thresholds.

Considerable environmental damage has been caused by the activities of BKJV.

Environmental experts, _____ was commissioned to provide an Ecological Assessment of the damage caused by BKJV's activities.

A report was provided on 14th April 2022 by _____ and _____. This report is attached.

The report concludes that erosion around the dam / excavation was extensive and appeared to be impacting on water quality through increased turbidity observed. No evidence of restoration efforts in the form of recent or historic ripping, top soiling or tree planting was observed along the Haul Track or surrounding the dam / excavation.

REGULATORY AUTHORITIES

The Government Authorities associated with the BKJV operation are: -

- a) Weddin Shire Council
- b) NSW Environment Protection Authority
- c) NSW Mining, Exploration and Geoscience
- d) NSW Crown Lands

In my experience, all the above authorities, both state and local governments, have proved to be ineffective. Numerous evidence supported reports (in some cases with photographs) have been made to the government organisations and in response, I can say, I have been very disappointed with the lack of action from them, in particular, Weddin Shire Council has failed miserably when it comes to enforcing the Development Application Approval Conditions which they placed on BKJV's activities.

There seems to be a lack of will to have very obvious breaches attended to. These breaches have led to contamination of the regions surface and subsurface water and soil and, in some cases severe environmental damage. Action by the Government Organisations to have breaches corrected could be in the form of orders for corrections or fines, depending on circumstances and severity of the breaches.

As a result of this and in some cases, an aggressive response, I wonder if it is possible that _____ in some form may be occurring. This type of approach to what are legitimate complaints

regarding the activities of mining companies should not be accepted or tolerated. After all, these various Government Organisations have a job to do and a role to play in relation to the activities of mining companies.

BKJV's mine in Bumbaldry has been in care and maintenance since 2014 and the entity has not taken steps or attempted any rehabilitation to overcome pollution problems and environmental damage they may have caused.

CONCLUSIONS

The mining company, BKJV, appears to be able to disregard the required laws and conditions that cover their operations at Bumbaldry. Numerous Development Application Approval Conditions placed on the entity by the consenting and monitoring authority, Weddin Shire Council, have not been complied with and numerous complaints have failed to see any controlling action taken, orders issued, fines imposed or legal action taken.

The Environment Protection Authority seem to take an argumentative and uncooperative approach to a person lodging a genuine complaint. As a result of this, it appears, no action has been taken by any Government Departments.

RECOMMENDATIONS

The purpose of these Government Organisations is to ensure that mining activities are conducted in a manner that ensures all organisms (including humans) and the environment are kept safe. It seems pointless to me, that laws and rules are made and mining companies are able to sidestep, bypass them, or ignore them.

In the future any complaint/s should firstly be legitimised and if found so, action should be taken to have the subject of the complaint/s corrected. Continuing to ignore genuine complaints can only lead to ongoing danger and or damage to all organisms and the environment.

Much stronger laws and rules governing mining operations, the powers and commitment of Government employees, and the issuing of compliance orders, fines or legal proceedings must be improved before it can be considered that mining operations are conducted safely and without damage.

If any documentation, photographs etc are required, to substantiate or prove any of the above statements, please contact me and I will provide anything requested.

ATTACHMENTS

1. Report
2. - an Ecological Assessment Report