

Submission
No 113

**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

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Partially
Confidential

Dr. Amanda Cohen MLC
Chair
Portfolio Committee 2 – Health
Legislative Council

RE: SUBMISSION: INQUIRY INTO CURRENT AND POTENTIAL IMPACTS OF GOLD, SILVER, LEAD AND ZINC MINING ON HUMAN HEALTH, LAND, AIR AND WATER QUALITY IN NSW.

Thank you for the opportunity to make a submission into the above inquiry. As a resident who lives directly opposite the recently approved McPhillamys Gold Project (SSD-9505), my submission is specific to items (a), (e), (g) and (h) from the terms of reference of this inquiry.

In relation to item (a), it is bewildering that there is no requirement for a genuine health assessment of nearby communities of proposed or even existing mine proposals at assessment, and also ongoing during operations. An action from this inquiry needs to be that health impact assessments must be a mandatory part of all SSD proposals and ongoing monitoring for operational projects. They need to be prepared by appropriately qualified experts, and must be engaged by the DPE and consult with NSW Health, the proponent and most importantly, the individuals within a reasonable radius that are expected to experience a change in lifestyle, air quality, noise or other potential health impacting items. This must include a baseline health assessment of those specifically who will be impacted by the proposal and summarise what the potential impacts could be for those residents.

As someone who has spent the last 6 years of their life going through the assessment process, the toll on one's mental and physical health simply to go through an assessment, is enormous. I am fortunate enough that I don't suffer from any underlying health conditions, however my physical health has deteriorated due to the time commitment that is required to deal with an assessment of a mining SSD. I have not been able to get involved in sporting activities on weekends or after work hours, attend the gym, or engage in leisure activities such as bushwalks or hikes. This has led directly to an increase in weight and deterioration of physical wellbeing due to reduced physical activity. My job requires me to be seated for in excess of 9 hours per weekday so I target any physical movement I can in my spare time. This spare time is significantly reduced whilst reading a six-thousand-page EIS, spending hundreds of hours on submissions, hundreds of hours in meetings with the community, consultants, legal representations and family about the impacts the proposal will have; then doing the same for three different amendments, agency responses, the DPE determination, and again through the IPC process. To say this process entirely consumes your life is an understatement. The mental impact of thinking literally every day about what the impacts will be is draining. This is then compounded when you're guaranteed from the proponent that your way of life will change when it's approved. The 'kicker' is then when you take unpaid leave for the above and to attend the IPC hearing, only to be told by your local Council, the DPE and IPC that they acknowledge some people will be negatively impacted by the proposal but that the potential economic benefits (which have been overstated) outweigh the costs (even though these costs haven't been quantified). Anyone with existing poor mental health would interpret all of this as their life not being relevant or of significance.

The anger and distain that this process creates is then expressed to those who are closest to the people experiencing it because they can't release it on the people causing it. This then strains personal relationships. My wife and I have had several discussions that put strain on our relationship that are solely around what to do with ourselves with this mine through the proposal and now since it's approved. Since the start of this process, we have also made the decision not have children. We have been unable to build the house on our property needed to have children due to being given no guarantees or security from the proponent of impacts, assurances or protection. Given the time this process has taken, and that we're still at least 7 years away from us experiencing the harshest impact on our property, we cannot make a decision to build a house that we could potentially not live in, and then deal with the financial implications of borrowing against a property worth nothing on the market due to its proximity to the mine. This has also resulted in the delayed retirement of my parents as we couldn't build the second dwelling and

subsequently their intended dwelling was not 'freed up' by us. It also significantly reduced our time with friends being unable to host gatherings due to us residing in a shed for many years – again awaiting any form of assurances or guarantees from the proponent.

My wife has asthma and requires regular inhaler assistance in Spring especially, even if just simply walking down the road. No one from the proponent, DPE and IPC asked anything about the impacts that increased dust could have on my wife and her ability to breathe or be outside. I'd be lying if I said the thought of simply killing myself did not cross my mind several times in the last 6 years as a result of the ongoing wasted and unacknowledged efforts from the community as a whole and myself. You are left to feel literally worthless. You have all regulatory authorities telling you you're expendable, the proponent telling you that you're irrelevant, and the public that don't even know the facts of the project tell you to either kill yourself or leave town because you're "in the way of progress".

None of the above is quantified in a mining assessment. I am merely one person in a community of hundreds who will be impacted in some cases even worse than I. If a proper assessment was conducted of the impacts on the actual *people* via a health assessment, it would become obvious the cost and impacts of these assessment are significant and would include: lost production to the economy by way of time off work and lack of concentration, lost time on productive community matters, reduced family cohesion and increased risk of relationship breakdown, increased strain on the healthcare system, lower direct spending in the community, and the risk of suicide. It's also worth reminding that this is all actually prior to an proposal being approved.

Post approval, the issues change but remain equally if not more relevant. The assessment system is inappropriate as it sets minimum standards that do not apply to a regional setting where mining occurs. As an example, the NSW noise policy sets the minimum base noise level much higher than the actual baseline noise level of the area. The noise policy then allows operators to go 5db above this as part of the standard noise intrusion to any resident. The result for us is that the NSW noise policy allows the baseline nighttime noise level to be set at 25% higher than the actual (30db is the noise policy minimum even though the actual is 24db as measured by the proponent and reported in their EIS Noise assessment). The final consent conditions are allowing nighttime noise limits to get to 37db. This means the conditions of consent are allowing a 54% increase in our nighttime noise intrusion and it's still within their conditions of consent. This is an entirely unacceptable outcome for the community but it's allowable under the NSW noise policy provisions.

Similarly, the air quality assessment is based on the same irrelevant NSW air quality standards, which again do not apply to a clean, rural setting. This means that, even though their modelled dust impacts are within policy limits, it's still significantly worse than the current air quality conditions that we're all used to. This is a serious concern for in particular my wife who suffers from Asthma and requires an inhaler. We regularly go for walks on our street and purchased where live for the ability to always have windows open without noise or dust intrusion. We were told by proponent representatives that we "must close our windows" when they're operational. We stated we didn't want to, that's why we chose to live where we do and they appeared confused and said "but then you'd hear all of the noise". It's obvious the company staff do not comprehend the impact on people's lives that this will have, nor do they care. We have no town services on our property and rely on our tank water for drinking, washing food and clothes, cleaning dishes and watering gardens. We've been offered a one-off payment for a filter to go on the outlet at our tanks and no ongoing or recurring maintenance of the filters. This is all we've been offered to keep our water clean. Our water tank and property is less than 1000 metres, direct line of site with no trees, hills or any other protection to the waste rock wall. Paying for the installation of a filter is entirely insufficient. But the DPE accept it as sufficient on the basis that the proponent's modelling shows the dust levels on our property won't exceed the state policy standard.

The above provides some insight for you into how the impact on the health of nearby residents isn't considered at all, even from the first day of a mining proposal assessment. There is nothing in the consent

conditions of the project which require the operator to carry out ongoing health assessments to demonstrate there are no health impacts from the change of life, increased noise, light and dust, and there's no consent conditions which state the operator must act to ensure the health and well-being of their workforce or local residents is to be prioritised in their operations. It also shows that with such ambiguous, unenforceable and self-regulated consent conditions, the authorities have no intention or desire to protect the health of those at risk.

All of the claims from the proponent is based purely on desktop modelling completed by consultants paid by the proponent, and using the proponent's very specific inputs. There is no consequence post approval if the actual impacts turn out to be ten times worse than they predicted because the reality is they can't operate as they modelled. Consent conditions also require self-reporting of breaches and extensive timelines that allow for exceedances for weeks, if not months, before it's actually reported publicly. This has direct and material impacts on the workers and local community who may for example, end up living in poor air quality for months thinking nothing is wrong before being told that air pollutants are 10 times higher than safe. If the utilisation of live monitoring data (which exists and is used by mining companies but is not published or passed onto regulatory authorities or the public as it's measured) then forced the operator to immediately notify residents the air quality is exceeding safe levels, people can close windows, cease using tank water, wear masks and not go outside until the issue is remedied. This process would be easy to adopt using existing technology and I proposed this in my submission to the DPE and IPC and neither body enforced the use of live monitoring to notify residents in real-time to minimise any potential harm. The same can be done with noise and vibration. Instead, consent conditions all simply suggest the use of operator prepared management plans that require post monitoring reporting within undetermined time frames.

Finally, the regulatory authorities put the entire onus of carrying out the project and monitoring required under the consent conditions onto the operator themselves. There isn't even follow up from the regulators to ensure operators are doing what their application stated they would. Locations of monitoring stations, screening location or progress, rehabilitation, community support programs or even the jobs or economic injections that are claimed in the proposal. Essentially, a proponent can put together an entirely fictional proposal, include all the required words and pictures needed to make it look like it can operate well on paper, and then when approval is given, just do absolutely whatever they like. Regulatory authorities must be forced to ensure that what they approve is actually carried out, especially in terms of measures to mitigate impacts, and the proposed benefits. This starts from checking that monitoring stations are where they should be and are functioning, that suppression/mitigation tools and practices are implemented and maintained, that operational restrictions are adhered to and so on. These need to include unannounced visits and checks and, in the event of discovering shortfalls, these unannounced visits need to be more frequent. Under the current system, regulatory authorities only get involved after the community have spent thousands of dollars on their own independent studies and evidence, and put in hours of work collating the evidence needed for the authorities to investigate. This system needs to be changed.

It is obvious that mining projects do not assess physical or mental health impacts on their workforce or local community and that costs are not quantified or assessed. Assessment and regulatory authorities do not appropriately assess or measure impacts, and consequences for breaches of conditions that result in genuine costs to the communities and the environment are not proportionately relevant or fit for purpose. The entire framework around how these projects are assessed, and then monitored both whilst operating and rehabilitated is significantly flawed and structured to support proponents without justification. This inquiry needs to result in serious change that means better outcomes for the human beings and environment that bear the impacts of these proposals, for the benefit of a minority.