

UPDATED SUBMISSION

Date 6 April 2022
Name Tempest Diana Combes
Address Lue Station
Lue NSW 2850

Applicant – Bowdens Silver Pty Limited

Application Number - SSD-57

Application – Bowdens Silver Mine

I object to the BOWDENS SILVER MINE proposal and the Water Supply Amendment

I declare I have not made a reportable political donation in the previous 2 years.

I would like my submission to be anonymous. I request that you please withhold my name, do not publish my name on your website and remove my name from any documents that are already published on your website.

I note that my name remains on your website.

Please find attached my submission objecting to and opposing the proposed mine at Lue.

Background

I have lived in Lue all my life. Firstly at Havilah, a property 5 kilometres from Lue village and now I live at Lue Station. My home is only 2 kms from Lue village and my family's land borders the Lue village to the south of Lue.

My family and I are the largest landowners at Lue and my husband and I built our home in 1955 and have lived at Lue ever since. My family came to the district in 1881 and my husband's family came to Lue in 1923. My son also lives on the property with his family.

My husband and I ran a profitable sheep and cattle business and following my husband's death in 2016 I have continued to run our property with my son.

I have over the years been involved in the Lue Public School P & C Association, the Mudgee Show, the Rylstone Show, the Gulgong Show, the RAS show in Sydney, the Mudgee Picnic Race Club, the Mudgee Polo Club, the Mudgee Polocross Club, the Mudgee Pony Club, and I was one of the first exhibitors at the Mudgee Small Farm Field Days and was involved in that successful event for many years. I was on the founding committee of the branch of the Royal Blind Society in Mudgee and I founded the Children's Medical Research Foundation in Mudgee and I founded the Riding for the Disabled in Mudgee and it was held at my property and the ponies were stabled on my property for many years. I was one of the first in the district to start a homestay and ran a very successful bed and breakfast in my home for many years. Over the years many people have enjoyed our beautiful home. The Mudgee district is now one of the most popular tourist destinations in the state.

In addition to our involvement in the community together my husband was a councillor on the Cudgegong Shire Council, now the Mid-Western Regional Council, a member of the Weeds Council of NSW, the NSW Rifle Association, was Captain of the Lue Bush Fire Brigade, President of Bingham Landcare and was involved in many other local charities, clubs and associations.

We were active members of Bingman Landcare. We have had many tree planting programs on our property and other programs with Bingman Landcare to plant trees, to conserve our water and protect our land.

I apologise for my lengthy submission but I hope you will understand that as one of the oldest residents of Lue it is my duty as a citizen and landowner to bring the risks and concerns surrounding this project to your attention.

The mine

Since 1989, for over 30 years, there have been various people from Sydney exploring at the proposed mine site. In fact Rob Corkery, the principal of the firm that prepared the EIS has been working on it for over 20 years. Silver Mines Limited purchased the Bowdens site from Kingsgate in 2016.

In my opinion mining should not occur at this site for the following reasons

1. The mine site is too close to Lue. It is 2 kms from the village to the mine site. There are over 50 homes and businesses in Lue and 98 small farms and homes surrounding Lue.
2. There is not enough water at Lue. Lawsons Creek is fed **from springs and groundwater and surface water** near and in the mine site and **all the water in the valley will be impacted either by poisoning and acidification or by the bore levels dropping.**

3. **The water in the valley is connected so that if there is no water in the creek water in bores is lowered and if groundwater is taken then the creek flow will be reduced. No amount of modelling can change what is happening on the ground.**
4. Silver mining is not profitable. Silver prices have never been high enough for the mine to be developed and be profitable and my grandson tells me that the demand for silver is dropping so it is unlikely that this mine will ever be profitable or viable. The war in the Ukraine had meant a rise in silver prices but it has certainly not reached the levels it should have reached compared to the gold price and many of the products using silver are using alternate products to avoid the additional cost.
5. Lead is poisonous. Its damage to health is irreversible. It is especially dangerous to young children causing brain damage, resulting in mental and physical developmental problems.
6. The 100 meter high Waste Rock Embankment is higher than all surrounding hill and will be visible from Havilah to Monivae and beyond
7. The Tailings Dam has the potential to pollute the creek and groundwater from its location above Lue to Mudgee.

My farm, Lue Station, is a grazing and farming property and for many years I also ran a very successful bed and breakfast. Due to poor health I am not taking bed and breakfast bookings at the moment but our home is able to sleep 19 guests and we regularly welcomed that number to Lue Station and will again as soon as I have recovered.

Location

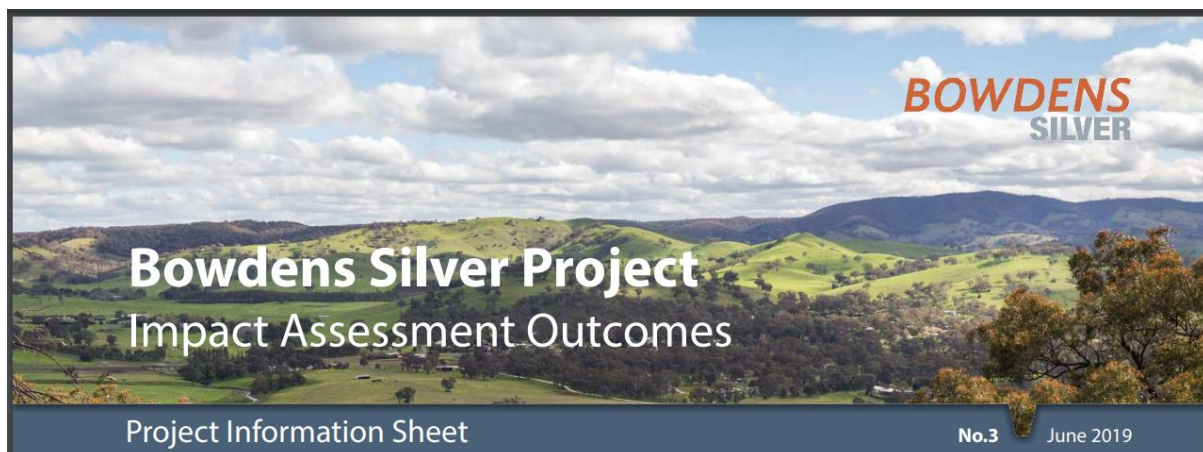
My property is adjacent to Bowdens Silver PL, (See Appendices Fig A6.1 page 401/434), it is numbered 91 on the map. I have not received any offer of compensation or option to purchase or any other attempt to mitigate the losses I, my property and my business will suffer both financially and physically.

My home is not numbered on any map, it is shown on Fig A6.1 but not numbered. I will therefore use the nearest cottage on my property, numbered 92G on Fig A6.1 and note that on Table A6.2 this cottage (92RG) is 2.73 kms to the southern barrier. Another cottage on my property is 92B, is the home of a young family. According to the Table A6.2 they live 3.65kms from the Tailings Storage Facility and 5.4kms from the southern barrier.

This project is **just 10 kilometres from Windamere Dam**, which supplies regulated water, to the Cudgegong Valley and to Burrendong Dam, and is part of the Murray Darling Basin catchment. The mine is even closer to the **Windamere catchment** being just a few kilometres to the top of the hills around Windamere Dam.

This project is also located on the boundary of the Lachlan Fold Aquifer and the Sydney Basin and has the potential to contaminate both aquifers.

Visibility



This photograph on the cover of the Bowdens Project Information Sheet dated June 2019 shows a section of my property, and my home, within sight of the mine site. Apart from a section in the foreground of the photo and to the left of this photo all the land you can see is my family property. It is exactly as the crow flies. I would remind the DPE that I have never been consulted, have never had a visibility study done or a water study done. I can see this proposed eyesore from much of my property and other parts of my property are adjacent to Bowdens land to the west. Once again no consultation.

Consultation

I have never be consulted by Bowdens or RW Corkery or their agents and although I have made previous submissions they have responded inappropriately to my submission by condoning the appalling and unacceptable behaviour of their employee to my daughter. Aside from that response Bowdens have not responded to any of my concerns.

Impacts to our property and district causing concern

I believe our property will be adversely impacted in the following ways and I cannot find any evidence to the contrary.

- Our **bore water levels** will be reduced
- Our **bore water** which we use in the house for washing and in our bathrooms will be contaminated
- Our **rainwater** which we drink will be contaminated by lead dust and other dust from the Tailings Storage Facility
- We will hear constant and loud **noise** 24 hours a day 7 days a week
- We will **see** the mine site from our garden and our property
- We will **see** the Tailings Storage Facility from all over our property
- We are being pressured to have the **transmission line** constructed on our property without compensation.
- Our cattle will not have a safe or reliable drinking **water supply**.
- We will smell the odour of the **Tailings Storage Facility** from our property

Our way of life will be impacted and changed in many ways

- My friends will leave the village

- I will not be able to go outside and garden or farm or enjoy our beautiful property
- My daughter, who lives in Rylstone, is being intimidated by an employee of Bowdens who is also a local councillor and she may be forced to leave her home and the district

Bowdens responded to my complaint about this intimidation and bullying in the Submissions Report by saying

*“Bowdens Silver does employ a staff member who is also a Councillor with the Mid-Western Regional Council (MWRC). The implication that merely because a staff member performs two **(actually 3)** particular roles that they are corrupt, is wrong and potentially defamatory.*

*It is to be noted that the MWRC is not the consent authority for the Project **(except for determining road works, pipeline approval and bond)**, and therefore the input of a single councillor **(1 out of 9)** on assessment matters and the Project outcomes is negligible.*

*Suggestions of intimidation by a Bowdens Silver employee are unsubstantiated and have never been raised with the Company. **(except in this submission)***

Discussions and interactions do occur between Bowdens Silver and members of the public who oppose the Project. It is important to note that expressing differing opinions do not mean intimidation.

- Bowdens have recently negotiated an absurdly low financial arrangement with MWRC. At least one councillor has visited our property and knows we have limited water available. We were advised of this arrangement via a media release in the local paper. When a local councillor is employed by Bowdens there is plenty of room for corruption. It will cost much more to supply water to Lue than the paltry amount that is set aside for projects.
- I have not been approached by Bowdens or its employee to consult me in any way, I find their responses to those opposing the project are incorrect, inadequate and disrespectful.
- My son’s tourism business will be forced to close as his accommodation is very close to the mine site
- Other tourist businesses closer to the mine site will also close
- Our local agricultural show societies are being bribed and blackmailed in the form of sponsorships to prevent their committees and employees and volunteers from opposing the mine.
- My health and the health of my children, grandchildren and great grandchildren will be adversely affected by lead dust, noise and contaminated water
- My great grandchildren will not be able to visit me because the effects of lead are greater in young children and lead poisoning is irreversible
- I may become depressed and suffer from mental stress and fatigue (in my case unlikely but many residents are feeling extremely confronted by these people)
- I constantly worry about why this project has been allowed to go so far and in my opinion this is the worst development attempted in the history of NSW. I challenge you to nominate a project that has been approved in NSW with the same number and level of adverse economic, environmental and health risks that are associated with this project.
- Jobs they say... how could the few Lue jobs they might create compare to the jobs and livelihoods that will be lost.

- **I have not received any response or communication from Bowdens other than their disrespectful response in the Submissions Report**

Please find an attachment with more details of my concerns regarding

- Groundwater and surface water
- Noise, Blasting and Vibration & Visibility
- Transmission Line
- Tailings Storage Facility
- Rehabilitation
- Water Supply Pipeline
- Mapping and maps used in the EIS
- Summary of my concerns

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Attachment 1

Groundwater and Surface Water

Lue Station will be impacted by the drop in ground water levels.

1. Our domestic bores were put down many many years ago and while they are registered we find they are not shown on any of the Bowdens maps.
2. The water quality in our bores has not been tested
3. The water levels in our bores have not been tested
4. Our rainwater has not been tested

There is no guarantee by Bowdens that our water will be safe nor has compensation been offered for the time in the future when our water will be undrinkable and contaminated and the bore levels reduced. There is no plan to provide water to me or to other Lue residents. There is no risk assessment of the effects of mining on current water use other than a risk assessment buried in the Appendices indicating that this mine is a high risk to groundwater.

An average of 806 megalitres of water is planned to be taken from rainfall and runoff each year at the mine site.

It would be wise if a reviewer at the department checked this rainfall and runoff figure. The Environmental Impact Statement in Part 6. Surface Water Assessment page 6-83, Table 5.5 shows the Average Annual Site Water Balance. The table shows 806ML (megalitres) will come from Rainfall and Runoff. This figure is an average and often we have falls of over 6 inches or 150mm in one fall while at other times when we are in drought we have little or no rainfall for months. Last year, 2019, from April to August we recorded just 33mm. There is no mention of the rainfall and runoff amounts in the BSPEISSB. It also appears that there is no adequate water storage on the mine site. On the map of the mine site layout, page 6 of the BSPEISSB, there are 2 areas coloured turquoise and the pit is coloured pale blue giving the appearance that there are 3 water storages, one is the mine pit, not identified on the map, another is Southern Barrier and the other is a Waste Rock Emplacement. The Tailings Storage Facility is not a water storage. There is a Turkey Nest Dam to the east of the Mine Site Entrance but unless it is very deep it appears to be the size of a farm dam and only capable of holding 3-5 MLs (megalitres). How much is Bowdens harvestable right for their property? If their property is 2000 ha, (the exact area of the Bowdens property is not mentioned in BSPEISSB or the EIS), the harvestable right dam capacity for the mine site area which includes the Tailings Storage Facility is 140 megalitres according to the Water NSW website.

Lawson Creek flows will be severely impacted and our property will be negatively impacted because

1. All runoff and rainwater will be collected upstream from our property
2. Our property is less than 1 kilometre from the mine site
3. Lawsons Creek flows through our property
4. Our cattle drink from Lawsons Creek
5. Our grandchildren play in the creek
6. Our bores are fed from Lawsons Creek because all the groundwater within 5 kms will be impacted Lawsons Creek will be impacted
7. All domestic water users and farmers and irrigators downstream of the mine site will be unable to use creek water.

Groundwater in our area will be impacted by reduced flows and contaminated and our property will be impacted by this in the following ways

1. Our property is watered by many bores.
2. The water from these bores is piped around the property to fill troughs for our cattle and sheep to drink.
3. The BSPEISSB says on page 17 that there will be a peak annual inflow of 3.5 ML (megalitres)/day
4. The BSPEISSB says that the groundwater will continue to flow into the unused pit for 50 years after the mine life of 16 years. The EIS mentions it will take much longer than 200 years for the unused pit to fill due to evaporation.

Noise, Blasting and Vibration & Visibility

My home is located approximately 4 kilometres from the mine site, is not numbered on any map in the EIS and therefore, is not assessed in the EIS but will be impacted in the following ways

1. I will be able to see the soil stock piles
2. I will be able to hear noise 24 hours a day. On page 13 of the BSPEISSB they mention dB(A) levels. I am not familiar with those terms and would be pleased if those levels can be compared to a noise or sound I am familiar with. It is also noted that there will be increased traffic past the Lue School. That seems a discrepancy as any additional traffic will not be travelling through Lue but rather on the new road being constructed.
3. I will be able to hear the traffic on the road. On page 24 of the BSPEISSB there is no mention of actual traffic numbers nor of the routes these vehicles will take to and from the mine site.
4. We now experience extremely quiet conditions at night and can often hear a car on the road 4kms away travelling along the Lue road through the village
5. It is also very quiet during the day although from time to time we are engaged in normal farming activities using tractors, ATVs and other machinery.
6. My home is made of weatherboard and is not designed to reduce noise pollution
7. We can hear animals in the paddocks, foxes, kangaroos, hens, sheep and cattle and many many birds
8. When the mine is test drilling we can hear clearly the loud sound of the hammer of the drill which disturbs birds in the garden, our hens, sheep and cattle and all the native animals. It is difficult to describe how loud it is because all the animals are silent and still and the sound is like a loud rapping on a door. There is also some vibration. On page 13 of the BSPEISSB Bowdens acknowledge that mining noise may be heard. They say they will use interim or long term noise barriers but they are not identified on the mine site layout.

Please see the map (Fig ES 8) of night time noise found on Page ES 18 in the EIS and please note that 2 very significant places are not shown or noted on this map. I ask you, the reviewer, and the Department of Planning to please ensure that all the homes surrounding the mine site and in the village of Lue are included in every report and every map and are considered in every report.

1. The village of Lue is not shown. The houses shown and recordings taking do not include homes in Lue.
2. My home is not shown. You can see the roof of a house on the map in the pale blue section at the bottom of the map. This is my home. It was built in 1955. I am closer to the mine site than many other homes, but excluded from all maps.

It is quite extraordinary that at company such as RW Corkery & Co would try a trick like this to attempt to fool the government and the EIS reviewers.

This is a quote from the EIS regarding the effects of noise on people

Potential Health Effects from Noise

Noise has the potential for the following negative health effects.

- *Sleep disturbance (sleep fragmentation that results in fatigue and affects psychomotor performance, memory consolidation, creativity, promote risk-taking behaviour and increase risk of accidents).*
- *Annoyance.*
- *Cardiovascular health.*
- *Hearing impairment and tinnitus.*
- *Cognitive impairment (effects on reading and oral comprehension, short and long term memory deficits, attention deficit).*

Other effects of health impacts considered to be important, but for which the evidence is weaker, include:

- *effects on quality of life, well-being and mental health (usually in the form of exacerbation of existing issues for vulnerable populations rather than direct effects);*
- *adverse birth outcomes (pre-term delivery, low birth weight and congenital abnormalities); and*
- *metabolic outcomes (type 2 diabetes and obesity).*

Perceptible vibration (e.g. from construction activities) also has the potential to cause annoyance or sleep disturbance and adverse health outcomes in the same way as airborne noise. However, the health evidence available relates to occupational exposures or the use of vibration in medical treatments. No data is available to evaluate health effects associated with community exposures to perceptible vibrations.

One must surely oppose this project on noise grounds alone.

Transmission Line

I strongly oppose the relocation of the Transmission Line.

The existing power line is shown on the mine site layout map on page 6 of the BSPEISSB. This transmission line was constructed to take electricity from Liddell Power Station in the Hunter Valley to Mount Piper Power Station near Wallerawang. This transmission line was carefully located, in consultation with local residents, including me, to avoid visual impact to the homes in Lue. It appears that the transmission line will be relocated on top of the hills near the village in view of all homes. On page 20 of the BSPEISSB there is no mention of the relocated transmission line but on the Photomontage from Lue Road on page 21 the Existing View shows one visible tower and three smaller towers while the Final Landform shows 6 clearly visible towers.

“An approval to construct the required 132kV power transmission line to the Mine Site would be sought separately in accordance with Part 5 of the EP&A Act. Power supply requirements for the Project are discussed in more detail in Section 2.11.3. It should be noted that assessment of the power supply infrastructure and associated works is not included here but would be addressed in a future application to the relevant energy provider.”

The above paragraph is copied from the EIS on page 2-7. The transmission line referred to is not marked on any map, nor is it mentioned in the BSPEISSB.

Tailings Storage Facility

The Tailings Storage Facility is not separately mentioned in the BSPEISSB. It is shown on the map on page 3, but it is shown in purple on the mine site layout on page 6 and it is listed on page 7 as being 1.9kms to Lue, will be used to recycle 806ML of water per year and that waste rock will be used to construct its embankment and that all tailings will be contained in a single storage facility.

The EIS states on page 2-44 the design criteria for the Tailings Storage Facility

The TSF would be designed, constructed and operated in accordance with the Australia National Council on Large Dams (ANCOLD) 2012 Guidelines on Tailings Dams under the supervision of Dams Safety NSW (DS NSW) for the provision of secure and safe tailings storage and to meet the design objectives outlined above. The overarching intent of these guidelines is for the TSF to have minimal impact on the existing surrounding environment.

I doubt that the construction of a dam of this size over a creek and valley is minimal impact.

The EIS lists on page 2-45 the key design features of the Tailings Storage Facility

- *Embankment footprint area = 16ha*
- *Impoundment surface area = 103ha*
- *Total area of disturbance – approximately 117ha.*
- *Development stages (embankment raises) – three.*
- *Method of embankment raise – downstream type.*
- *Maximum crest of embankment: –620m AHD (56m above the lowest natural ground level).*
- *Maximum capacity: – 14 million tonnes (cumulative, 30 million tonnes).*
- *Embankment crest widths –300m*
- *Method of tailings deposition – down valley discharge from three locations (northern, central and southern tailings discharge points) connected to tailings pipeline.*
- *Method of water and decant management – collected and pumped from a floating pontoon on the decant pond for return via a water return pipeline for reuse in the process circuit.*
- *Embankment construction – zoned rockfill with low permeability geomembrane / clay zone on the upstream face, a bituminous geomembrane (BGM) liner, curtain grouting along upstream toe, with connection of the BGM and grout curtain via a concrete plinth along the upstream toe.*

- *Embankment construction material – benign, NAF waste rock from the open cut pits as well as material stripped from within the TSF footprint.*
- *The perimeter of the impoundment area would be marked by a track retained for access, when required.*

The Tailings Storage Facility is very large and although its not easily found in the EIS is located 700m from Lawsons Creek and completely covers Walkers Creek and the Walkers Creek valley.

I am opposed to the Tailings Storage Facility for the following reasons.

1. I will be able to see the wall from much of my property
2. I am concerned that Lue is in an earthquake hazard zone, and while this has been considered there is no guarantee that we will not have a one in one ten thousand year earthquake event.
3. I am concerned that the Tailings Storage Facility will fail and Lawsons Creek and all the water downstream from Lue including Gulgong, and eventually Burrendong Dam may be contaminated. It is an absolute certainty that this dam will fail or leach contaminants and we will have an environmental disaster.
4. I am concerned it will be at Lue forever.

Rehabilitation

I read in the BSPEISSB on page 11 that the mine will be rehabilitated. I think if you calculate the percentage of the mine site to be rehabilitated you will find that it is not nearly 100%. Simply colouring a Tailings Storage Facility and Waste Rock Embankment green on a map does not constitute rehabilitation nor does colouring a 52 ha pit blue mean it is rehabilitated. I presume this is another example of RW Corkery & Co trying to sneak this EIS past the reader and reviewer.

Water Supply Pipeline

This was one of the most extraordinary components of this proposal. Lue residents say there is no water so it seems Bowdens must then draw up plans for a 58 kilometre pipeline through 20 properties, some of whom they say cannot be contacted, but in actual fact those owners are so astounded and appalled by this proposal to pipe contaminated waste water through their properties that they have refused to talk to Bowdens. At a community meeting in Mudgee last year one family was stood up and named and belittled in front of the whole community. I note their names are not on the list of owners found in the Appendices. I presume that the pipeline will then be constructed along the Hayes Gap Road and many huge box trees and other endangered woodland will simply be chopped down and cleared. **In fact this component was so outlandish that it has now been deleted. Unfortunately the proponent has not provided any other external water source. Not only will all water users in the Lawsons Creek valley, all irrigators and other domestic and stock water users on the creek be badly effected but the Mudgee water supply is also at risk.**

In the EIS, it states the project is just 10kms from Windamere Dam. Aside from the concern that Windamere will be contaminated by lead and cyanide dust Bowdens could easily pipe regulated water from the Cudgegong River near Mudgee, supplying all water users on the way, including the village of Lue. There is no barrier to this option aside from the cost of high security regulated water. Regulated water is easily traded and recently Cobbora Coal Mine purchased water for their mine and then sold it again for quite a profit. At \$6000 per megalitre for high security water and the Bowdens Mine requiring about 1774 – 1857 megalitres annually the cost would be around \$11 million. If

Bowdens were to purchase the 331 megalitres they plan to pipe (without approval) from Ulan the cost would be less than \$2 million.

It seems pretty odd that a project this size can't afford that. Mr McClure (CEO) has often been heard saying, on the radio and in community meetings they are taking water from Ulan because they don't want to take water from Agriculture but they don't seem to have any problem taking it from the farms in the Lawson Creek Valley and the Cudgegong River.

Mapping and the maps used in the EIS

I mentioned earlier in my submission that some maps do not show either the homes in the village of Lue or my home.

In the BSPEISSB there are only 2 maps that show residences in the village of Lue. They can be found on the page 23 and page 25. The map on page 23 shows Mine Site Vegetation Communities and Clearing and the map on page 25 shows Indicative Mine Site land uses post Project life.

The BSPEISSB does not have one map of the village of Lue nor does it say how many people live in Lue, or in the village or on the surrounding farms and lifestyle blocks.

In the EIS I have looked through its many pages and not found a map showing homes in the village until ES-31 (Page 53) which is in the Terrestrial Ecology summary. The Social Impact summary has a couple of graphs but no mention of how many people were interviewed or how many people live in Lue or the surrounding district.

Not until **EIS section 4.1.3 page 4-15** (page 257) is the first mention of people living in the area. There is no mention of the numbers of people who will be effected by this project.

My property can be seen on **Fig A6-1, page A6-3** (page401/434) as no 91, in blue and other properties I have an interest in or our family company has an interest in are no 92, coloured in purple.

Please see **Map 4.1.10**, which is the shows farms and homes in the area but does not show the village, Figure **4.3** is a list of landowners excluding those in the village, Figure **4.1.11** shows homes in the village of Lue and Table **4.4** is a list of landowners in the village. It lists 50 landowners, and also includes some buildings that are not residences. Table 4.4 mentions the places of interest being on **Table A6.4**. **Table A6.4** can be found on 406/434 and notes the places of interest in Lue being the

1. Lue/Havilah, owner Rural Fire Brigade Mid-Western Regional Council
2. Lue Pottery, owner D.V & J.M Howard
3. Lue Public School, owner Department of Education
4. Lue Hall, owner J. Thompson & H.W Underwood & J.W Fisher
5. Lue Railway Station Buildings, owner NSW Rail Corporation

One **Place of Interest** that has been removed from the maps of Lue and the area and is not found on any map is the Lue Hotel and the adjacent buildings. Completely disappeared. In fact the Lue Hotel was purchased by a company part owned or controlled by Anthony McClure the CEO of Bowdens Silver PL and his wife Georgie King, a Bowdens employee and another SVL or Bowdens shareholder Andrew Bray.

The EIS states on page 4-20 (262)

All residences in Lue lie between approximately 2km and 3km southwest of the closest open cut pit. The key place of interest within Lue, i.e. Lue Public School, is 2.5km southwest of the closest open cut pit noting that Bingman Hill between the school and the closest open cut pit is approximately 118m above the ground level at the school.

Lue is largely surrounded by an area zoned R5 (Large Lot Residential) under MWR LEP 2012 in which 14 privately-owned residences are located, all of which are built on single lots. The ownership of these lots is displayed on Figure 4.1.10 and listed on Table 4.3. The lots within this zone range in area from 1.63ha to 28.9ha.

Since writing my submission a few days ago I have checked the EIS and have found the lists of Landowners at Table 4.4 and 4.3 have now been removed from the EIS but the companies that own property still remain listed. This is an example of the kind of behaviour that Lue has experienced and what we can expect if the Department of Planning does not put a stop to this company and this mine. These people only follow the rules if they are caught out and then will only follow the rules. Surely a private company with only private shareholders does not need to be listed on the landowners table, it serves no purpose to list these companies.

Summary of my concerns

I oppose this project for the following reasons and I would like the following concerns addressed by Bowdens

1. Financial – my tourism business will be unable to continue due to noise and light and traffic, my farming business will be less profitable due to water quality and quantity, noise, dust, traffic.
Concern – Noise levels, water quality, water quantity, dust, lead dust, traffic on the Lue Road and added time taken to drive to Mudgee
2. Aboriginal Heritage – Precious sites in the vicinity of the mine site will be destroyed
Concern – Please provide accurate maps and locations of heritage items and a guarantee that they will not be destroyed by mining, mine traffic or mine employees
3. Water Supply – will be contaminated and reduced
Concern – Please provide accurate data, not modelled data, on historical water levels and water quality. Please also provide modelling for the period until the unused pit is filled with water including risk assessments for the same period. Please provide a plan for the failure of the Tailings Storage Facility and the provision of an alternate water supply for me, my property and other water users in the Lawsons Creek and Cudgegong Valley.
4. Noise – 24/7 mining and processing and traffic and blasting
Concern – provide accurate data and up to date data on the effects on humans and animals of noise and dust and increased traffic on the roads
5. Air Quality – Lead Dust and other dust and fumes from vehicles and dust from blasting and the tailings storage facility will pollute the air and reduce air quality
Concern – Please provide up to date data on lead dust and justify why the modelling is not based on current accepted levels
6. Greenhouse gas – emissions will increase.
Concern – Given Climate Change surely emission level that are acceptable in 2020 will not be acceptable in 2037.
7. Groundwater – will be contaminated and levels reduced for at least 50 years
Concern – Has the correct and most up to date modelling been used. Their experts say there are no significant impacts to groundwater but they have not defined significant and one can

only assume significant is a complete loss of water and I would like the water loss to be accurately defined so that I can plan for the water lost and if required seek compensation or seek an alternative water source.

8. Surface Water – Lawsons Creek will be severely impacted, contaminated and the flows greatly reduced
Concern – will the bond paid be adequate to cover the contamination of the creek and its subsequent clean up. Will the bond still be in place in 200 years when the pit void is estimated to be filled.
9. Health – lead dust and noise and contaminated water. Young people are very susceptible to lead poisoning, fumes from vehicles, elderly are at risk from the noise. The increased traffic on the roads will lead to increased accidents, some of which may result in death.
Concern – The EIS has not adequately dealt with lead and noise levels or the age of drivers on our little road.
10. Visibility – This mine and Tailings Storage Facility and transmission line will be visible from Havilah North to Camp Hill, for over 20 kilometres along the Lue Road. Almost all homes and businesses will be effected. The glow at night will be visible over 300 kilometres away although the BSPEISSB says it will be a negligible impact. Imagine how bright it will be at 2 kilometres from the mine site.
Concern – The EIS has not identified all areas that will be impacted visually and has assumed there will be no future development in the area.
11. Native Animals – all native animals in the area will disappear or suffer due to noise, dust, increased traffic leading to increased road kills of native animals.
Concern – The EIS has not identified how many animals are killed on the roads at present nor how many more are likely not made any provision for the removal and burial of those animals.
12. The endangered native Box-Gum Woodland and its resident Koalas will be gone forever.
Concern – The Native Box- Gum Woodland is located at Lue and cannot be offset in another area as it will no longer be at Lue. Visitors come to Lue to see and experience the bushland at Lue, not in another location where it may be offset. There is no mention of the lack of water available to the remaining woodlands.
13. Traffic and Transportation – It is doubtful that 400 additional vehicles every day including one truck carrying explosives and one truck carrying cyanide, as well as hundreds of trucks carrying lead and 230 employees coming and going would not have an impact on the safety of the Lue Road. We have 3 narrow bridges, a narrow cutting, a couple of narrow culverts to navigate and the safety of our young drivers is threatened.
Concern – The EIS does not consider the width of the road in many places, the number of young drivers on the road and the additional time that workers and residents and others will take to travel from Kandos, Rylstone and Lue to Mudgee. This is a tourist drive. It won't be a very pleasant drive for tourists.
14. Agricultural Impacts - all farm animals and farm workers will be impacted by lead dust, water contamination, light at night, noise & traffic. In the BSPEISSB on page 24 it states that 1170ha will be returned to agricultural production. Given the size of the area and the size of the area not being rehabilitated that seems doubtful.
15. Soils and Land and Soil Capability – Bowdens always show prime agricultural land and healthy cattle on their promotional material and on the cover of the BSPEISSB. It seems unlikely that the area does not contain any BASAL land within the mine site.
16. Aboriginal Cultural Heritage – These heritage sites should not be destroyed.

17. Historic Heritage – This area was settled many years ago and some of the same families who took up the original grants are still in the area.
Concern – The Historical Heritage report in the EIS is inadequate and does not include many items of historical significance.
18. Economic Benefits – If Bowdens can't afford to purchase \$2,000,000 of water entitlements it need to supply water to Lue it seems unlikely that they will provide any benefit to the community. In various different publications it is stated there will be 230 jobs, 210 jobs and 140 jobs. There is no guarantee who they will give these jobs to. There is no guarantee who the mine operator will be. Bowdens sponsor some local shows, rugby teams and a darts club. It is not a huge sum of money outlayed in sponsorships. If the silver price is ever high enough they may even commence mining but the silver price has not been high enough for over 20 years and not for a continuous period of 16.5 years. There will be a significant negative economic impact if the mine commences operation and a few years later ceases operation, leaving an environmental disaster.
Concern – Please provide the contingency plan for the time when the Bowdens Mine closes due to unviability. I am very concerned that the NSW Government has a policy of development at any cost and the costs of this development and its rehabilitation have not been adequately budgeted. Bowdens say this project is worth 1.3 billion. Out of that figure how can they afford to develop and operate the mine, (build the pipeline), build a safe Tailings Storage Facility, build a new road including 2 bridges, upgrade the Lue Road from Mudgee to Rylstone, safely transport hazardous material to and from the site from all over Australia, sponsor the community, manage the risks to health and environment, develop plans for water, traffic, noise, visibility, community sponsorship, heritage management, a good neighbour program, a complaint management process and then after all these expenses there may be a small profit to provide the NSW Government with mining royalties.
19. Social Impact – every person in Lue, Mudgee, Rylstone and Kandos and the Mid Western Regional Area will be adversely effected by this mine. I am concerned about contamination, health, noise, traffic, tourism impacts, economic impacts, the environment, heritage and water quality and availability. Even the 140-230 employees at the mine will be impacted by noise, exposure to lead, cyanide, and other poisonous minerals, travelling long distances to work, and they will also suffer the mental strain of working in an extremely unsafe and unpopular environment.
Concern – During the exhibition period Bowdens have telephoned and asked Lue residents if they support the mine. They have placed advertisements in the local paper attempting to discredit the local group who are trying to provide the community with answers to many of the questions not answered by Bowdens in the BSPEISSB or in the EIS.
20. Bowdens have attempted to show that this is a community divided. There is not one person in the Lue community who is not employed or sponsored, or has not been silenced by Bowdens one way or another who supports this project. Many people who have signed options to sell their properties should the project go ahead have an order not to openly oppose the project. Most people in the wider community are simply unaware of the dire consequences of this project, and certainly won't be any more knowledgeable after receiving the BSPEISSB.
21. I read in my local newspaper today that MWRC has agreed to a \$4.7 mil deal to receive payments over the life of the project. If the project goes ahead, for 16.5 – 18 years, with trucks causing damage to our roads and bridges, no rehabilitation, no program for compensating Lue residents and landowners when their water source is contaminated and reduced (forever) this amount is inadequate. The press release is not available to the public.

22. This project has nothing to recommend it.

Recommendations

Should this project proceed I recommend that to avoid the concerns expressed by me and the community the following measures be taken.

- 1. The mine to have an external water source**
2. The mine to return any and all dewatered water to the aquifer.
3. The Tailings Storage Facility be relocated to an area which is not an Earthquake Hazard Zone
4. The Tailings Storage Facility be constructed so it does not leach contaminants
5. The mine pit be underground
6. The mine operation be restricted to normal weekday business hours
7. The workers immediately commence wearing PPE
8. That water be sought from a clean external source
9. There be a proper water storage for clean water
10. All roads within the mine site be tarred
11. All homes and businesses within 8 kilometres of the mine site be provided with potable water for domestic and stock use
12. That all irrigators and water users registered and unregistered, licenced and unlicensed, on the Lawsons Creek and downstream of Lawsons Creek on the Cudgegong River be supplied with clean regulated water. That all water used be monitored daily to ensure its potability.
13. All homes and businesses within 8 kilometres of the mine site be supplied with noise and dust, light and wind monitors to allow accurate data to be collected
14. Rylstone Dam and Windamere Dam be monitored daily for contaminants or reduced inflows.
15. All residents and businesses within 10 kilometres of the mine site be compensated should they be unable to continue living in their homes due to excess noise, dust, light, traffic, or lack of water without being required to supply evidence
- 16. That all members of the Lue Community and their supporters be repaid all funds expended in seeking expert reports that have proven the proponent has published inaccurate or out of date data or inaccurate modelling.**
- 17. The Lue Road from Mudgee to Kandos and the Hayes Gap Road be upgraded to highway standard to ensure safety of all drivers and especially young drivers. Adequate overtaking lanes be provided and all mine associated vehicles to comply with a speed limit of 80 kmh**
- 18. The 4 bridges between Mudgee and Kandos be rebuilt to highway standard**
19. That a bypass be constructed around Mudgee so that trucks containing dangerous substances such as explosives, cyanide and lead are not required to travel on the residential streets of Mudgee
20. All trucks containing dangerous materials be accompanied in front and behind
21. That all landowners in Lue be compensated for their privacy being breached by the proponent for 14 days when the EIS was first released and published on line.
22. All endangered and threatened and native species be protected and not removed from the site.
23. All Aboriginal Heritage items be protected and not removed from the site
24. All Aboriginal elders be compensated for their time in ensuring sites are protected and receive an apology for the racist, rude and discriminatory comments made in the Submission Report.

25. All homes and businesses within 10 kms be compensated for loss of amenity and should any home of business within 30 kilometres of the mine site be adversely effected by this project they would also be compensated
26. A bond of \$500,000,000 be placed with the NSW Government to cover the cost of remediation of any damage caused by Tailings Storage Facility leakage or failure.
27. That no member of the Government or the Lue community be required to police any monitoring requirements and any breaches of regulations result in immediate shutdown and substantial financial penalties.

Conclusion

In my opinion this project should not proceed but should the NSW Government reach the conclusion that a project as risky as this must go ahead for the sake of jobs then I respectfully request that you ask the proponent to address my concerns and place conditions on the project that will ensure the health and safety and lifestyle of all members of our community.