

24 July 2020

Director, Resource Assessments
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Locked Bag 5022
PARRAMATTA 2124

By email to no-reply@majorprojects.planning.nsw.gov.au (as portal not working for me)

BOWDENS SILVER MINE, LUE - SSD-5765

Dear Ms Hawkeswood,

I object to the Bowdens Silver Mine proposal because it would destroy significant amounts of native vegetation, including important habitat for birds, reptiles and mammals such as koalas and the critically endangered Regent Honeyeater; produce 95,000 tonnes of lead which will pollute the land and air of the surrounding areas; take and pollute around 2000ML of water annually and lower the water table by up to 25 metres on site thus drying out local waterholes and springs; and leave a large polluted deep void and toxic tailings dam polluting Lawson Creek and Mudgee's rivers system. There has been too much destruction of biodiversity and landscape from mining already and another toxic extractive operation will degrade and destroy a beautiful area of Mudgee district.

Excessive impacts on native animals and plants

The proposed mine will clear 381 ha of native vegetation including 146 ha of critically endangered Box-Gum Woodland listed under the *Environment Protection and Biodiversity Conservation Act* (Cth) 1999 (EPBC Act) and *Biodiversity Conservation Act* (NSW) 2016 (BCA). This will also destroy or fragment the habitat of threatened or declining woodland species including threatened species such as the koala and critically endangered Regent Honeyeater. These last two species are already threatened with extinction.

Koalas

If approved, the proposed mine will clear 139 ha of known core koala habitat. It is well known that the koala population has declined significantly. In 2019 a NSW Upper House Parliamentary inquiry found that the koala would become extinct in NSW before 2050 unless the government urgently intervened to prevent further habitat loss.¹ Importantly, the committee also recommended that koala habitat be protected across all land tenures.

Since the inquiry the catastrophic 2019-20 bushfire events have been devastating for koalas. Estimates show that more than 24% of all koala habitats in eastern NSW were within fire-affected areas.² In NSW the koala is currently listed as a Vulnerable species in Part 3 of Schedule 1 of the BCA. In March 2020, the global conservation group, the International Fund for Animal Welfare (IFAW) submitted to the NSW government a report demonstrating that the koala is eligible for provisional listing as Endangered on an emergency basis as it is subject to "an immediate,

¹ NSW Upper House Inquiry, Koala populations and habitat in New South Wales, June 2020

² EDO submission to NSW government on Koala SEPP, 2020 at www.edo.org.au

ongoing and significant threat of extinction in the foreseeable future.”³ This proposed mine must not be allowed to destroy the koalas’ food source and hasten their extinction.

Regent Honeyeater

The proposal will also destroy 182 ha of important habitat for the critically endangered Regent Honeyeater. The pre-2019-20 bushfire estimates indicated that less than 250 Regent Honeyeaters remained in the wild.⁴ Numbers will have decreased since the fires. The Federal recovery plan for the Regent Honeyeater (FRP) identifies the Mudgee-Wollar area among the areas that are “critical for survival’ as it is used for foraging and breeding⁵. The proposed mine is nearby. The FRP also says that “Habitat critical to the survival of the regent honeyeater includes any breeding or foraging areas where the species is likely to occur”⁶. Every bit of habitat for this bird on the brink of extinction is critical and must be protected. Birdlife Australia says that government must secure all critical habitat to save the Regent Honeyeater. **The Bowden Silver mine should not be allowed to cause further destruction of the Regent Honeyeater’s habitat.**

I also oppose the Bowden Silver Mine proposal because it will destroy habitat of 14 other threatened species listed under state or federal legislation and which have been recorded in the study area. Other submissions have pointed out serious omissions in the adequacy of the biodiversity surveys for the EIS. These must be rectified.

The additional impact of the 2019-20 bushfires on species affected by the proposed mine must be taken into account

The 2019 -20 bushfires were unparalleled in their size, duration and intensity. These fires burnt 21 per cent of Australia's temperate forests. This is a globally unprecedented percentage by area of burning for any continental forest biome around the world.⁷[Boer et al 2020] They followed a period of sustained drying out of south eastern Australia which was already impacting on plants and animals.

The Mudgee and central west were severely impacted by these fires. Sixty per cent of the nearby Wollemi National Park, was burnt and over 116 million mammals (excluding bats), birds and reptiles were impacted.⁸ The north western side of the Wollemi National Park is close to the proposed mine. Wollemi NP is part of the Greater Blue Mountains World Heritage Area (GBMWA) of over one million hectares. Around 700,000 hectares of the GBMWA plus large areas of adjoining state forests were burnt in these fires causing the massive destruction of flora and fauna in the Central West and Upper Blue Mountains. Any unburnt areas of native

³ EDO website: <https://www.edo.org.au/2020/03/05/declare-koalas-endangered-nsw/>

⁴ Birdlife Australia “From the ashes: 5 birds affected by Australia's bushfires” April 2020 at <https://www.birdlife.org/worldwide/news/ashes-5-birds-affected-australias-bushfires>

⁵ Regent Honeyeater Recovery Plan under the EPBC ACT, 2016, p. 11

⁶ RH Recovery Plan at p. 4

⁷ Matthias M. Boer, Víctor Resco de Dios and Ross A. Bradstock, Unprecedented burn area of Australian mega forest fires, Nature Climate Change, 24 February, 2020

⁸ Impact of the 2019-20 Fires on the Greater Blue Mountains World Heritage Area – Final Report Report to Blue Mountains Conservation Society by Dr Peter Smith April 2020.

vegetation in the vicinity are precious as refuges for survivors of the bushfires and the recovery of species.

The NSW Department of Planning and the Commonwealth Department of Environment must take into account the enormous post-bushfire impacts on flora and fauna in their environmental assessment of the Bowden Silver Mine proposal. To ignore the damage done to species by the Black Summer fires in assessing this proposal would be a great dereliction of their responsibilities to protect threatened species and ecological communities.

Long term environmental pollution from proposed mine

The proposal will generate toxic pollutants from lead dust, dirty mine water and process waste containing cyanide which will be contained indefinitely in a tailings storage facility. Expecting such a storage to remain safely contained in perpetuity is not realistic and cannot be guaranteed. This should not be approved. Despite approved management plans and conditions by regulators, waste can be released into the environment through careless or inadequate management practices and cause significant damage. This is a huge risk. One recent example of what can happen is the collapse of toxic coal fines waste from the Clarence Colliery above the Wollangambe River and the Greater Blue Mountains World Heritage Area in 2015. The mine owners were fined over one million dollars for what the judge described as “an accident waiting to happen”.⁹ In addition to the fine, the clean-up of tonnes of toxic sludge cost the mine owners, Centennial Coal, over two million dollars. Bonds against accidents are ineffective and often prove inadequate to address the damage. The best course of action is to take precautionary action and not approve such unrealistic arrangements at all.

No safe level of exposure to lead

A silver mine is a toxic dirty industry and its mining processes impact on people in its vicinity. The proposed mine will produce 95,000 tonnes of lead. Lead dust is a known to cause serious and lasting damage to humans in the vicinity of the mine operations. It is notoriously difficult to control these impacts. It is scientifically recognised that lead affects children’s development including depressing Intelligence and affecting behaviour. It also impacts on adults’ health.

⁹ <https://www.epa.nsw.gov.au/newsletters/epa-connect-newsletter/spring-october-2017/coal-spill-into-world-heritage-area-costs-clarence-colliery-more-than-3-million>

The NSW government is well aware of the extreme and long-lasting impacts of lead on populations. For instance, it has (through its health, education and environmental protection departments) been running investigations, blood level testing, studies and programs such as clean-ups in houses and schools in Broken Hill since the 1980s (so far up to fifty years). Today it is still a problem in Broken Hill as it is impossible to clean the whole town of lead dust.¹⁰ The EPA's website currently refers to yet another study into environmental lead impacts¹¹. As well, a new New LeadSmart School Program was launched in November 2019. This is an ongoing financial cost to the government and the people of NSW.¹²

These long lasting effects are known and should not be glossed over. Governments should not allow a whole new source of lead and toxic pollution to affect its people by approving this mine.

Rehabilitation

The site will not be fully rehabilitated as, according to the proponent, it will cost too much. The main pit will be left forever as a large open cut void., It will be added to the already large number of abandoned mining "voids" in the state.¹³ The NSW Audit Office has found that rehabilitation bonds for mining operations are usually inadequate to meet the full cost of rehabilitation.¹⁴ Mining companies can suspend a mine's operations, for instance, when it is too costly or their market has failed. This way mining is never finished and, therefore, there is no trigger to ensure the rehabilitation is finished even though there was an approved plan for this.

The former Planning Assessment Commission, when referring to a proposed open cut mine in the western coalfields near Lithgow, stated that there was no example of successful rehabilitation of an open cut mine in NSW.¹⁵ Revegetation cannot restore the former environment. This void will contribute to permanent degradation of the land, biodiversity and landscape and should not be approved.

Loss of water caused by coal mining is a serious problem in NSW as a recent expert report has set out.¹⁶ Bowden's Silver mine would be located near a coal mining region which has already experienced loss and contamination of water by coal mining. Adding another large mine will add to the cumulative impact of mining and degrade more land.

I have not made any reportable political donations.

¹⁰ H Burke, B Balding (NSW Health) and D Lyle (University of Sydney), "REDUCING LEAD EXPOSURE IN CHILDREN IN BROKEN HILL" Accessed through EPA NSW Website : <https://www.phrp.com.au/wp-content/uploads/2014/10/NB03016.pdf>

¹¹ See: <https://www.environment.nsw.gov.au/topics/air/research/current-research/broken-hill-environmental-lead-study>

¹² See <https://www.epa.nsw.gov.au/newsletters/epa-connect-newsletter/spring-november-2019/new-leadsmart-school-program-launches-in-broken-hill>

¹³ The Australia Institute, "Dark side of the boom(NSW)What we do and don't know about mines, closures and rehabilitation in New South Wales, 2017

¹⁴ Audit Office report May 2017 for instance. Accessed at : <https://www.audit.nsw.gov.au/our-work/reports/mining-rehabilitation-security-deposits>

¹⁵ *Planning Assessment Commission Review report into Coalpac Consolidation Project*, December 2012.

¹⁶ Water for coal Coal mining and coal-fired power generation impacts on water availability and quality in New South Wales and Queensland" ACF, Dr Ian Overton, April 2020.

Yours sincerely

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