

### Objection by R87 owner Margaret Cameron

I am an owner of the rural holding noted as R87 in the Bowdens EIS, otherwise known as Wyuna at Bara Lue Road, Lue, Lot 2 DP701906.

I object to the Bowdens development application SSD5765 and seek that it be refused.

The primary grounds<sup>1</sup> of objection upon which this project should be refused are:

- i) the incompatibility of the proposed new mine with the existing approved and likely preferred uses of land<sup>2</sup>
- ii) the very close vicinity of the proposed 422ha mine being within 2km of the township of Lue and within 1km of our house and less than 800m from our northern boundary.
- iii) the adverse social impacts of the mine including social impacts caused by a 422ha open cut mine within 2km of a town running for a period of 23 years and the associated noise, dust and visual nuisances;
- iv) the adverse noise and dust impacts of the mine, particularly lead dust and its potential health impacts on us and the Lue residential community in the near vicinity and the surrounding smaller rural holdings all within 2km of the mine.
- v) the economic and public benefits of the mine are uncertain and do not outweigh the public cost of the mine.

I attach and mark **(annexure 1)** a mind map which links my objections to the relevant provisions in the Environmental Planning and Assessment Act 1979 (NSW).

#### 1. BACKGROUND

My family and I have owned Wyuna since 1997. At the time, I was living and working in Sydney and my dream had always been to own a farm. I saved all my money for a deposit for a farm. I decided on the Mudgee region and, one day whilst on a business trip, I fell in love with Lue. The main reason was because of the breathtaking rolling green folding hills, and the fact that it was obviously really good quality country that could fulfil my farming dreams. Lue was also in the perfect location, not too far from Sydney and close to Mudgee and good wine and coffee.

At the time, Wyuna was twice as expensive as all the other properties that I had looked at but it was also twice as good.

Prior to buying Wyuna, I had studied some courses part time at Ultimo TAFE. One of them was Beef Cattle Production and the other called FARMING SMALL AREAS. I had learnt what to look for in a small farm. Wyuna was perfect for the following reasons:

- (a) smaller acreage surrounded by larger properties to enable privacy;
- (b) excellent access due to well maintained roads, and only a short dirt road to the front gate;

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<sup>1</sup> Are similar to those articulated in the Gloucester Resources Limited v Minister for Planning [2019] NSWLEC 7 at [24] (**Rocky Hill case**)

<sup>2</sup> Clause 12 of the Mining SEPP

- (c) the property did not front a main road. There was also no creek crossing required to enter the property;
- (d) close to major towns and on the edge of a village;
- (e) fertile country for cropping and grazing; and
- (f) the most important asset for a small farm - Water a 1km boundary of Lawson's Creek

## 2. WYUNA

Wyuna is a small and very fertile farm sitting on 28.8ha (approx 70 acres) of prime agricultural land. The property is fully cleared and sits on the creek flats of the Lawsons Creek. We have approximately one kilometre of creek frontage onto the Lawson Creek and this serves as one of our boundaries. The property is divided into 10 fully fenced paddocks. This type of land is ideal for Lucerne growing as well as other crops and grazing/fattening livestock. The property was at one point used for breeding thoroughbreds, and as a result of this has quite extensive infrastructure of piped water and troughs into most of the paddocks. These troughs are filled by pumping water from the Lawsons Creek.

There is a 3 bedroom hardi-plank house on Wyuna that sleeps 6 people. It was built around 1980. It is very functional and around 7 or 8 years ago, we extended the deck so that we could have somewhere to sit and enjoy the views. It is expansive and from the now very large deck, you can virtually see the entire property. The sunrises and sunsets at Wyuna are unreal and the night skies full of stars.



There is also an original hay shed on Wyuna as well as a very large machinery shed





Over the years, the house on Wyuna has been used for many purposes such as a rental property, a home for friends, a weekend bolt hole, a grazing and cropping property, and most recently a very successful short term holiday rental property.

Wyuna has always been an integral part of our family life. Almost every school holiday was spent there and my children also developed a love for the country as a result. My dream was always to build my dream home on Wyuna so that I could ultimately leave the city and I would have somewhere to retire.

### 3. EXPERIENCE WITH BOWDENS

On the 11th of June 2019 I received an email from Bowdens Silver Pty Limited (Bowdens) inviting us to attend an open day they were having and as we were a 'close neighbour' and that they would also like to meet after the Open Day to run through some of the modelling results pertinent to our property in regards to noise impacts. We were unable to attend the Open Day and advised Bowdens of same by email.

Around the end of June 2019 we received in the mail a newsletter from Bowdens, whereby they announced that various properties would be affected by noise as a result of their proposed project. We were very distressed by this news and were not sure which category (if any) we fitted into, and exactly what that would mean for the future of Wyuna. Bowdens had identified in their brochure several different categories of noise disturbance and the number of properties that would be affected should their mine go ahead.

We arranged to meet with Anthony McClure (Director) and Blake Hjorth (Community Liaison Officer) of Bowdens in Sydney on the 24th July 2019. During the course of the meeting, we explained our extensive history in Lue and the current use of our property as well as our future plans and dreams for the property. The meeting felt like Bowdens were just 'going through the motions' and I realise now that Bowdens were only meeting us to fulfil their EIS obligations. We explained that Bowdens mine and our businesses could not exist side by side and that, should theirs go ahead that we would be forced to walk away from ours, as well as our future dreams for Wyuna. It was very depressing. It seemed that there was no real interest on their part, we were just a problem that they would try and get rid of through a discussion about noise mitigation measures that we explained were

entirely unsuitable and inappropriate for our property and its use, unsuitable as the primary use of the property was it's great outdoors.

On 30 August 2019 we received an email from Blake Hjorth of Bowdens acknowledging our displeasure at the notion of their venture and offering us some mitigation in the form of 'rural property maintenance such as mowing, fencing, upkeep etc as well as 'some form of compensation in regards to potential impacts on our AirBNB business'. On receipt of this email I realised that whilst Bowdens acknowledged that we would be affected by their mine, that they had and would continue to downplay the devastating effect that it would have on us and our business.

We proceeded to begin to question Bowdens in detail by email about their project in an attempt to understand exactly the impact that the project would have on us and Wyuna.

To date we have received 2 documents from Bowden's consultants, R W CORKERY & CO. PTY LIMITED (Corkery/s) which I attach and mark (**annexures 2 and 3**).

The second document we received from Corkerys and dated Thursday 28th May 2020, was accompanied by an email from Anthony McClure advising us that they would only pay our legal fees associated with negotiating a mitigation agreement up to a value of \$5,000.00. I responded that it was not up to Bowdens to decide what was reasonable under the circumstances as we felt that they had repeatedly either ignored, dismissed or downplayed our concerns and were underestimating and downplaying the impacts of their project on us. The email also referred to a draft agreement for our consideration. I attach and mark (**annexure 4**) a copy of the draft amenity agreement. There is nothing offered, it is just a standard template which would require us to waive all of our rights for nothing in return. I now realise that Bowdens had already lodged their EIS at the time this email was sent to us.

Once again we were forced to explain to Bowdens that we would not blindly negotiate with them and further would not negotiate with them at all until we fully understood the impact their actions would have on us and the future use of our property and we felt that this position was not an unreasonable one.

From these documents received, and from what I have read in the EIS and other presentations that I have seen from experts employed by the Lue Action Group, I so far anticipate that Wyuna will be affected in the following ways:

#### 4. INCOMPATIBILITY OF THE MINE WITH EXISTING USE

The village of Lue is a home to families, retirees, young working people and most, if not all of these residents either have children or would anticipate having children visit and maybe stay with them at some time in the future. There is also a primary school in the village of Lue.

Outside of the village, the Lue region comprises fertile grazing and cropping country and is made up of both large and small agricultural ventures, as well as many agri-tourism ventures. Lue is the gateway between the Mudgee region and the Rylstone/Kandos region. The Lue Road is a picturesque road that is used by tourists travelling between the towns.

Our own property Wyuna has been used for agriculture, accommodation, a rented home, a weekender, a bolt hole and more recently as a really successful agri-tourism destination.

The uses proposed by Bowdens are incompatible with the Lue community's existing uses of the land. Noise, dust and vibration are not compatible with grazing for the impact on cattle results in distress, weight loss, loss of calves. The dust nuisances are not compatible with cropping for the potential contamination of the crop with lead dust. The noise dust and vibration nuisances are incompatible with agritourism for obvious reasons.

#### 4. a) HORTICULTURE AND AGRICULTURE



In October 2015 Wyuna produced 170 large bales of oats (used for feeding cattle). At the time, we did not use irrigation as the oats were able to draw enough water from the ground itself, this is obviously due to the underlying water table on Wyuna as our farm is bordered by one kilometre of the Lawson Creek.

These bales can be sold for anywhere between \$70-\$200 per bale depending on the season. At the time we



spent a substantial amount of money on fencing and adding multiple double gates to allow large trucks and machinery access, weed spraying, and generally improving Wyuna to allow for future cropping enterprises.



The same year, we purchased 10 Angus X steers that we were able to fatten over the next 18 months and sold



for a profit of \$1,000/head the following year.

At the moment, Wyuna is recovering from a terrible drought but is currently home to 3 thoroughbred horses. Two of whom have come from Racing NSW and are retired race horses who free range on the property and entertain our guests who like to pat them over the fence and feed them treats.

#### 4. b) SHORT STAY RENTALS AND AGRI-TOURISM

In June 2018 we started to welcome guests to Wyuna to experience the country life. We have close to a 5\* rating with both AirBNB and STAYZ/HOMEAWAY and have an almost perfect reputation as a quality agri-tourism farm stay. We have never had a dissatisfied guest. Our guests come to Wyuna to enjoy peace, quiet, beauty, serenity and to enjoy sunsets, sunrises and night skies and generally have a country experience that they don't have in the city. We bring people into Lue and our region who want to stay on a farm but who may not necessarily be coming to Lue. We promote ourselves as a farm stay and that is what our guests come for.

Our guests have told us that they like to sit out on the deck and watch the sunset and have a BBQ. They also enjoy walking around the property and exploring the Lawson Creek. They enjoy the livestock and the odd wombat sighting, but mainly they enjoy the feeling of remoteness and peace and quiet, and they enjoy the clean air and the lack of pollution. They enjoy the stars in the night sky that are not ruined by city pollution and night lights. Wyuna is generally booked every weekend and all of the school holidays, as well as the occasional mid week booking. Since the lifting of the Covid-19 travel restrictions, we have been inundated with guests and people wanting to escape the city. We do not see that this interest will slow down anytime soon.

I include our most recent review:



*'Wyuna is such a special place. The location is perfect sitting smack bang between Mudgee and Rylstone, and the house is super warm and comfortable with everything you need for the country. But nothing can quite prepare you for the peace, tranquility and those huge skies filled with stars beside the fire pit. Margie is a fabulous host and we had the best time on our little country escape. Don't miss a wander along the stream and sitting quietly appreciating the outdoors'*

The success of this venture relies largely on the quality of the service that we offer, and the natural amenity of the area that our guests come to experience. This service is deployed by many local people who we employ, such as:

- \* Cleaners/finishers
- \* Gardeners
- \* Handymen
- \* plumbers
- \* Electricians
- \* Builders and Carpenters
- \* Locksmiths

I attach and mark **(annexure 5)** our most recent review from guests who have stayed at Wyuna. These testimonies are all publicly available on both AirBNB<sup>3</sup> and STAYZ/HOMEAWAY

#### 4. c) VILLAGE LIFE

The village of Lue and surrounding district is a peaceful town that is inhabited by people who enjoy a quiet, country village life. They have not come to Lue to get a job in a mine, they are already living and working here. A 422ha open cut mine within 2km of the township of Lue will have a significant negative impact on the lifestyles, mental health and future dreams and aspirations of those residents.

#### 4. d) ECOLOGY

Wyuna has always been home to an enormous number and array of birds and native animals. Whilst our property is cleared for agriculture, we still have resident wombats and kangaroos. The Lawson Creek that stretches through Wyuna is also home to fish and the occasional platypus that we have been fortunate enough to have witnessed. Whilst I have not seen one, I also understand that our region is koala habitat.

#### 4. e) ABORIGINAL HERITAGE

We know that there is evidence of aboriginal heritage in the caves on the western side of the proposed mine site boundary. The disrespect that Bowdens show to our local aboriginal people is a disgrace. We have seen the damage caused to our indigenous people by a disregard for their culture and we know that in very recent times, that large mining corporations have ceased/interrupted their ventures as a result of this issue. Bowdens show a complete lack of respect for existing aboriginal culture by proposing a mine that will destroy significant aboriginal cultural areas within the mine site.

### 5. ADVERSE SOCIAL IMPACTS

The proposed mine would ensure that we could no longer enjoy Wyuna as we have for the last 23 years. We can not invite our future grandchildren to come and stay with us due to the noise and danger of the lead dust. We

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<sup>3</sup>[https://www.airbnb.com.au/rooms/25195074?source\\_impression\\_id=p3\\_1595808601\\_ZCs5A6UFxh%2BPpKF8&guests=1&adults=1](https://www.airbnb.com.au/rooms/25195074?source_impression_id=p3_1595808601_ZCs5A6UFxh%2BPpKF8&guests=1&adults=1)

cannot continue with our farming and cropping ambitions as we will have no water, and the water that we might be left with will no doubt be contaminated with lead and potentially other heavy metals.

We will not be able to engage in agri-tourism as our guests do not want to come to a mining town. They do not want to hear trucks, excavators, rock breakers and nor do they want to see night glow from mine lights, instead of the stars. They do not want to breathe the dust and particularly the lead dust, and nor do they want to shower or drink water similarly contaminated. We would not be able to have small children come to Wyuna as I have learnt that no amount of lead is safe for young children. Allowing small children to come to Wyuna would make us culpable of exposing them to something dangerous, and most of our guests have children.

#### 5. a) DETRIMENTAL NOISE IMPACT

We are told by Corkerys that we will be affected by noise from the regular delivery and crushing and placement of rock for 7-10 months during 3 construction periods of the tailings dam. We are also told that we will be affected by the transportation of waste rock on a daily basis for the first 8 years of the project life. At the same time we will be subjected to truck movements on the newly constructed Maloneys Road during construction of the road and after that during operation.

We are told that Bowdens have not used noise monitoring on our property, but that they may have on nearby properties. In any case Bowdens have chosen to use a generic EPA indicator even though they acknowledge that the background noise levels in Lue are low.

As in the case of Rocky Hill<sup>4</sup>, we fear that the noise levels may be significantly greater than those predicted as at [244]. The noise created will be far more noticeable in a quiet back drop like Lue than in other more urban environments where the use of generic EPA indicators would be far more appropriate. It is unusual to hear a noise in Lue louder than a cow mooing. This new noise, even if within the recommended amenity, will contribute to the adverse social impacts that were grounds for refusal in Rocky Hill at [263].

#### 5. a) i) ROAD CONSTRUCTION NOISE AND TRUCK NOISE DURING OPERATIONAL PHASE:

We are advised that we will be subject to truck noise from the west on the relocated Maloney's Road which is approx. 580m from our house, and with an average of 218/day truck movements (36% heavy vehicles) from 6.30am – 6.30pm for a period of at least 18 months and that further traffic on this road would occur during its operational stage between 6.30am and 10.00pm

We would also be subject to noise from the north and east from truck movements constructing the tailings dam embankment, that would run from the mine site to the tailings dam being 133 truck movements per day dropping waste rock on the embankment from 7am – 6pm Monday to Saturday for 8 years. We are told this truck noise is not mentioned in the EIS at all.

#### 5. a) ii). NOISE FROM THE CONSTRUCTION OF THE TAILINGS DAM:

We are advised by Corkery that we sit between the waste rock stockpile area (approx 650 - 750m away) and the southern most tip of the tailings dam (approx 800m away).

We are told that there would be a range of equipment required to transport, crush and place the potential acid forming rock, as well as construct the embankment of the tailings dam and that we will be subjected to at least the following heavy and noisy equipment:

Road trucks and road hauls,  
Bulldozers,  
Front end loaders,

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<sup>4</sup> Gloucester Resources Limited v Minister for Planning [2019] NSWLEC 7



Hydraulic excavators,  
graders,  
vibrating roller,  
crushing and screening unit  
Water truck,  
Chain saw and muncher

We are told by way of an assurance from Corkerys, that all this equipment will not all be operating at the same time. We are also told that the Noise Impact Assessment used to assess the impact the noise will have on us, works on a 'cumulative impact'. How can Bowdens possibly manage the use of this equipment and ensure that they are not operating at the same time and what safeguards would be put in place to ensure then that this does not happen.

The noise from the construction of the tailings dam is not limited to one event but rather three separate ones. The first one being the construction of the initial 38m high tailings dam embankment with rock trucked from the open pit, and then a further 2 rises of 9m each over further periods, but that in any case, a different group of trucks will be transporting waste rock on a daily basis for the first 8 years of the project life.

#### 5. a) iii) BLASTING NOISE AND VIBRATION

We will be subjected to blasting noise and vibrations from the open cut pit (Monday to Saturday 10-4pm)

#### 5. B) DETRIMENTAL VISUAL IMPACT

Removal of the heavily treed area on the top of the hill which is the northerly view from the property and within the mine site. Impacting upon the visual amenity from the property and the house.

#### 5. B) i) POWER LINES

I have been told by Corkery's that Bowdens are still considering a number of options to supply power to the Mine Site. We are told that the new high voltage power lines would be in 'country with similar visual and physical characteristics to the existing line and the new line would be likely to be compatible with the appearance of the existing line and not cause any significant change to view compositions'. This is not an acceptable proposal that just because new power lines will look the same as existing power lines that the potential impact is negligible. We may now be forced to look at high voltage power lines that were previously not there.

#### 5. B) ii) NIGHT LIGHT'

Lue has an enormous and very dark sky that is full of stars and incredible to behold, it is especially noticeable when you are coming from Sydney where you are unable to enjoy the night sky due to pollutants mostly caused by an abundance of city light.

In Rocky Hill at [142] Mr Moir explained the effects of night lighting:

*"Light pollution has impact on ecology, wildlife and human health. There is evidence that alteration to the night time environment has negative implications on physiology, behaviour, mortality and reproductive stress across a wide range of species..."*

#### 5. C) DUST AND LEAD DUST:

We are told we will be subject to dust from construction of the tailings dam, mining of the open pit and from blasting the open pit – landing on our roof and all surfaces requiring increased cleaning of inside and outside of

dwelling. Dust and noise from front end loaders moving waste rock from the pit to the waste rock area as well as dust from the multiple truck movements that will occur. Much of this dust will contain lead.

#### LEAD DUST

I have learnt that lead dust poses a considerable health impact on humans and animals and that there are no safe levels of lead for human exposure.

I understand that no adequate health risk assessment has been completed and that the EIS contains a significant lack of data to enable the undertaking of a transparent health risk assessment that is posed by the proposed mine. How can this project be allowed to proceed under these circumstances. We are also told that there is no cyanide management plan proposed, and that cyanide will also be produced as a by product of this mine.

#### 5. D) WATER - LOSS OF WATER AND WATER POLLUTION

Bowdens have predicted that we will lose groundwater and surface water from Lawsons creek. The Lawsons creek runs for approximately 1km through our property. We were advised by Corkerys that our section of the creek was subject to a “*predicted drawdown*” which I feel is a technical term to describe when there is a low point in a creek that the water would naturally pool in, is depleted when the water is channelled elsewhere, such as an open mine pit. I feel that this is what will happen to my section of the creek.

Even when the creek seems dry, we still have very deep water holes that have never run dry and have enabled us to pump water for livestock. When questioned, Corkery have advised that they have never measured the actual flow from the Lawsons Creek, but rather they chose to rely on the Australian Water Balance Model for baseline data. If Bowdens have never studied the flow rates in our creek, how can they then comment about such matters as how regular or irregular the flow rates are as they have done below, from Corkery 2019:

*‘The ground water assessment has predicted drawdown of the groundwater table that would impact groundwater beneath Lawsons Creek in the vicinity of your property. This is predicted to reduce the contribution of groundwater to the creek in that location (referred to as a base flow reduction). The existing flows in Lawsons Creek as such that this impact would not generally be noticeable, except in extremely dry situations where the Lawsons Creek is reduced to pools. Where groundwater is contributing to the depth of these pools a decrease to the depth of these pools would be noticeable. This would be a rare occurrence given the more regular flows in the creek. We also acknowledge that the recent dry conditions have reduced flows in Lawsons Creek, however these are not considered normal conditions and hopefully we soon see an end to the drought conditions experienced over the last few years’.*

#### 6. MY FEARS SHOULD THE PROJECT PROCEED

- \* Actual noise levels will far exceed modelled noise impacts.
- \* The enormous detrimental impact on jobs in the region by taking from agricultural rural and existing tourism jobs.
- \* The risks and costs to the public of this mine are extensive, and far outweigh the potential benefits.
- \* The detrimental impact on the level of ground water and water table and surface water in Lawsons Creek which will prohibit future crop production and agricultural ventures.
- \* The change in our community from rural, agricultural, agri-tourism to mining, there will be a complete change in the social environment of the town and its surrounds from rural to mining.



- \* The project is likely to cause social divisions in the community between those who oppose the project and those people who see themselves as potential benefactors: Rocky Hill at [289, and 292]
- \* It will adversely impact social composition and current rural town atmosphere, and severely impact upon people's sense of place: Rocky Hill at [309][310]
- \* The loss of clean safe air and water and our town will become an unhealthy mining town.
- \* Significant increase in heavy vehicle traffic through town and into Mudgee via the Lue Road. The road will become unsafe for tourists and we will see an increase in road accidents.
- \* The high levels of mental illness, depression, anxiety and sleep disturbance, loss of life goals, reduction in property values near the mine, as in Rocky Hill at [362]
- \* The adverse visual impacts – from the night lights on the hill, the township of Lue will lose the beauty of its night sky.
- \* Lue will change forever in culture from a small rural town to a male dominated mining town
- \* The loss of property value due to loss of surface and ground water and the fact that no one will want to own land in a mining town.
- \* The fear of owning a stranded asset.
- \* The loss of rural amenity due to noise and dust, vibrations, and significant truck movements around the township.
- \* The potential spills from the 117ha tailings storage dam and potential aquifer contamination due to seepage from tailings dam. I fear the potential spills from this enormous 177ha tailings dam, or that the dam may fail completely and that the Lawson creek will be contaminated by with waste and acid forming material from the waste rock taken from the mine site. We are told in the EIS that the tailings dam is a cost effective solution and has been designed merely on modelling. Our region and ecology is too precious to be subject to such a threat and treated with such disrespect.

*Tailings Storage Facility Preliminary Design  
May 2020 116217.01 R02 Rev5  
EXECUTIVE SUMMARY*

*Tailings Storage Facility  
The Tailings Storage Facility (TSF) for the Project has been designed on the philosophy of a down valley tailings discharge TSF for its practicality and as a cost-effective solution.*

*As the Project is a greenfield project, the derivation of suitable parameters for this feasibility study has been based on limited data, and accordingly further studies and testing would be carried out during detailed design.*

## 7. INCONSISTENCIES BETWEEN CORKERYS AND EIS

I am concerned that there seem to be inconsistencies between the information we have received from Corkerys and what I have seen in the EIS. Two things that most concern me are discussion about the construction of the

tailings dam and the store and release cover and the fact that this application can be made when areas of the project still seem to be in their infant stage.

I am also deeply concerned that Corkery's have told us that the tailings dam is designed so that the potentially acid forming contaminants from the tailings dam are designed to flow off site via the Walkers Creek and into the Lawsons Creek.

#### 7. a) TAILINGS DAM CONSTRUCTION

When Corkery's were asked, "what additional measures will Bowden's be taking to ensure that the toxic tailings residue will never leach and contaminate the adjacent environment" they answered as follows:

*'Significant work has been undertaken to analyse preliminary samples of tailings material in order to understand its physical and chemical characteristics and to plan for the design, management and closure of the TSF'*

and yet, in the EIS it is stated that the project is greenfield and has used limited data, and in fact has only studied 2 samples;

Tailings Storage Facility Preliminary Design  
May 2020 116217.01 R02 Rev5

#### *Tailings Storage Facility - EXECUTIVE SUMMARY*

*'As the Project is a greenfield project, the derivation of suitable parameters for this feasibility study has been based on limited data, and accordingly further studies and testing would be carried out during detailed design. Following the assessment of two tailings samples (Ignimbrite and Crystal Tuff (CT)) the CT was adopted to provide the best representation of the tailings to be discharged into the TSF'.*

And further to this in the EIS and under the heading:

#### *29 RECOMMENDATIONS p.33*

*'The following work would need to be undertaken during detailed design:*

*\* Additional Tailings testing';*

#### 7. b) TAILINGS DAM STORE AND RELEASE COVER

When asked what has been proposed in relation to the rehabilitation of the area used for the tailings dam after the mine life, Corkery's have answered us as follows:

*'It is proposed that the upper surface of the tailings storage facility would be progressively rehabilitated through the placement of store-and-release cover designed to minimise the infiltration of rainfall into the stored tailings. The upper surface of the cover would comprise a combination of subsoil and topsoil originally present within the tailings storage facility footprint and stockpiled during the operation of the project. Once placed, the topsoil would be progressively vegetated with a cover crop to stabilise the surface and ultimately return to native grasses. The final landform would be shaped such that all runoff generated within the footprint of the facility would flow off site via Walkers Creek to Lawsons Creek.*

Corkery's have advised us that the runoff of potentially acid forming materials (as found in the EIS below) will be generated into the Lawsons Creek (refer Corkery's above). We also note from the EIS, that potential cover construction materials 'still require further testing'.

*TSF and WRE Closure Cover Design 07 May 2020*

### 1.1 Objectives

*The main objective of the closure cover design is to develop an acceptable cover for the final TSF and WRE surfaces in order to:*

*\* contain all potentially acid forming (PAF) materials by full encapsulation so as to limit sulphide oxidation and control the release of acidic seepage from both facilities;*

#### 4.2.1 Construction Materials and Cover Profile

*Further testing would need to be undertaken during mining operations to confirm the engineering properties of potential cover construction materials.*

## 8. CONCLUSION/RECOMMENDATION

As a landholder subject to noise exceedances from the mine, I object to the mine and seek that the IPC reject the development application. I object to the development application for all of the reasons and fears that I have stated in this letter of objection. We are specifically disturbed to discover that a project could be approved when it seems to just rely on modelling and generic baselines. There has been no actual testing on our property. Our town and our region should not be a guinea pig for this unproven project.

Should the proposal go ahead, I request that it go ahead with the following conditions:

1. That Bowdens must enter into an agreement with all land owners who may experience exceedances before turning the first sod, as proposed by Bowdens in the EIS at page ES-5. Bowdens have conceded in ES-5 of the EIS the project cannot proceed without the agreement of all landholders who will experience exceedances. As owners of R87, Bowdens has advised us we will experience noise exceedances and as no reasonable offer has been made, no agreement has been reached.
2. We feel that it reasonable to request that should the project be approved, Bowdens provide a buffer zone between all aspects of the mining operation and the Lue village of at least 10 kilometres. On their website Bowdens state that the current mine site in Lue is just part of a very large silver deposit that is spread over 2,007 square kilometres, so it is not unreasonable to suggest that the project can be moved to a more suitable site if the deposit is so large:

*'Bowdens Silver is the largest, undeveloped silver project in Australia and one of the largest globally. Located near the village of Lue, approximately 30 km east of Mudgee in central New South Wales, Australia, the project comprises mineral tenements covering 2,007 square kilometres (496,000 acres) across the mineralised Rylstone Volcanics on the western edge of the Great Dividing Range<sup>5</sup>'.*

This will to some degree ensure that the children of Lue will not be subjected to the dangerous lead dust and the associated noise will not disturb the village. It will also ensure that the water supply to Lue will be retained, and the people of Lue are not directly financially and environmentally impacted as we are now, and can continue our businesses and our hopes for the future use of our property.

3. We have no present wish to sell Wyuna and would be devastated at the prospect of having to do so, but nor do we want to have a stranded asset. Should the mine be approved to proceed, that Bowdens

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<sup>5</sup> <https://bowdenssilver.com.au>

acquire Wyuna for a value which incorporates all the heads of compensation set out in the Land Acquisition (Just Terms Compensation) Act.

4. Alternatively, that Bowdens compensate us for lost future earnings for at least 23 years and possibly in perpetuity for the business/s that we have worked hard to establish as follows:

AGRI-TOURISM SHORT TERM RENTAL - \$1,744,320

CATTLE: \$230,000

CROPPING/OATS: \$782,000

TOTAL: \$2,756,320

5. That Bowdens continuously monitor and be held accountable for exceedances in noise, dust, surface and ground water quality in relation to our property, and should any of these show exceedances that result in our property becoming uninhabitable, that Bowdens acquire our property for a value which incorporates all the heads of compensation set out in the Land Acquisition (Just Terms Compensation) Act (NSW).

