A Climate Test for Lead Mines

By Elizabeth O'Brien, Lead Scientist and Lead Advisor, orchestrated by Ian Smith, Systems Analyst, using OpenClaw on top of Claude AI and Ollama local AI models where possible, on solar-powered infrastructure. © The LEAD Group Inc. November 2026

In 2019 an Australian court refused a coal mine partly because of what it would do to the climate. The reasoning that stopped the Rocky Hill coal project applies, with equal force, to a new lead mine. A mine approved today should carry a condition that was unthinkable a decade ago and is ordinary now: that it run on renewable energy generated on its own site. The Bowdens silver, lead and zinc project near Lue in central-western New South Wales (NSW) is the test case, and the way its climate impact and its power line have been handled shows why the principle matters.

The precedent: Rocky Hill

In *Gloucester Resources Limited v Minister for Planning* [2019] NSWLEC 7, Chief Justice Brian Preston of the NSW Land and Environment Court refused consent for the Rocky Hill open-cut coal mine near Gloucester. It was the first time an Australian court had refused a coal mine on grounds that expressly included its contribution to greenhouse gas (GHG) emissions and climate change. Preston CJ found that the project would be "a material source of GHG emissions and contribute to climate change", and that it was the wrong development in the wrong place at the wrong time, given the need for a rapid and deep decrease in emissions (*Gloucester Resources Limited v Minister for Planning* 2019).



The case was run for the community group Groundswell Gloucester by the Environmental Defenders Office (EDO). The solicitor and legal strategist who led it was Elaine Johnson*, then the EDO's Director of Legal Strategy. Climate scientist Professor Will Steffen gave expert evidence on the carbon budget and the significance of the mine's emissions. Johnson has since left the EDO, departing in 2024 after some thirteen years leading much of its climate litigation (EDO 2024). Her work on Rocky Hill established, in an Australian court, that a mine's GHG emissions are a legitimate and sometimes decisive reason to refuse it. *Elaine Johnson (pictured) is now Director, Johnson Legal – Australian Environmental Lawyers.



2026 Volcano Art Prize (VAP) Entry. Artist: Liam Paune. Title: The Climate Multiplier. Lead-Safety Message: "Extreme Weather, Extreme Risks. They all make lead poisoning more likely and worse for the individual. Ask your government to act now for a safer tomorrow." Description of Work: Crayons. https://volcanoartprize.com/portfolio-item/the-climate-multiplier/ [LID 29413]

The extension: run the mine on its own renewables

If climate harm can defeat a coal mine, it can shape the conditions on a lead mine. Lead mining and smelting are energy-intensive, and the emissions are not trivial. The Bowdens project's own updated assessment puts its life-of-mine emissions at about 1.135 million tonnes of carbon dioxide equivalent (CO_2-e): roughly 567,559 tonnes of direct and purchased-electricity emissions (Scope 1 and Scope 2) and a further 567,470 tonnes from the wider supply chain (Scope 3), with no condition requiring the operation to reach net zero (Bowdens Silver Project 2026).

The Rocky Hill logic suggests a clear remedy. A new lead mine should be refused unless it generates 100 per cent of its energy from renewable sources on the mine site itself. This is not a radical ask. On-site solar generation and battery storage are proven and, increasingly, cheaper than the alternatives. A proponent that cannot or will not power its own operation cleanly is asking the public to absorb a climate cost that the Rocky Hill reasoning says need not be accepted. There is a further irony worth naming: much new lead demand is justified by the energy transition itself, yet the lead for batteries and renewable infrastructure can come from recycling rather than from new mines. A climate condition on the mine keeps that logic honest, by refusing to let a clean-energy label excuse a dirty operation.



2026 Volcano Art Prize (VAP) Entry. Artist: Grandma Lead. Title: Solar Panels at Sunset. Lead-Safety Message: "Every day that you have solar panels for the sun to shine on, is a day you can feel good knowing that you're causing less lead in the air from burning fossil fuels and you're helping avert a climate crisis." Description of Work: iPhone 13 panorama. https://volcanoartprize.com/portfolio-item/solar-panels-at-sunset/ [LID 30002]

The split: carving off the power line

The second problem at Bowdens is structural. A mine needs power, and Bowdens requires a 66 kilovolt (kV) transmission line to reach it. In August 2024 the NSW Court of Appeal declared the project's original development consent void, precisely because the Independent Planning Commission had granted it without considering the transmission line, which the Court found was an integral part of the mine (*Bingman Catchment Landcare Group Incorporated v Bowdens Silver Pty Ltd* 2024).

Rather than assess the whole project together, the response was to separate the two. On 23 May 2025 the NSW Planning Secretary determined, under section 4.38(4A) of the *Environmental Planning and Assessment Act 1979*, that the 66 kV line is not part of the single proposed development (Silver Mines Limited 2025). The mine and the power line it cannot operate without are now to be assessed as if they were unrelated.

This is project-splitting, the practice also known as salami-slicing, and it runs against settled international environmental-impact-assessment (EIA) standards. The Espoo Convention requires that assessment be undertaken at the level of the whole proposed activity (United Nations Economic Commission for Europe 1991). The International Finance Corporation's (IFC's) Performance Standard 1 extends assessment beyond the primary site to "associated facilities", infrastructure that would not be built but for the project and without which the project cannot function (IFC 2012). A transmission line built solely to energise a mine is the textbook associated facility. For a proposal of state significance, whole-of-project assessment is not an optional nicety; it is the baseline that stops a large impact being approved in pieces, each too small to refuse on its own.



2023 Volcano Art Prize (VAP) Entry. Artist: Elizabeth O'Brien. Title: Stop New NSW Lead Mines. Lead-Safety Message: "I have a vision that the 2023 NSW Parliamentary Inquiry into whether the NSW regulatory framework for heavy metals and critical minerals mining is fit for purpose, will not only stop Bowdens and other proposed lead mines, but will find that no new lead mines in NSW can be justified! Let's use recycled lead (eg using government rebates to remove and recycle lead roof flashing so lead-safe rainwater can be collected) instead for our renewable energy projects!" Description of Work: Powerpoint collage of screenshots from Communities anxious as NSW government spruiks mining, The 7.30 Report, 20 Sept 2023, ABC TV (on Youtube). https://volcanoartprize.com/portfolio-item/stop-new-nsw-lead-mines/ [LID 27682]

A single test

Put the three points together and the test for any new lead mine is simple:

- assess the whole project, power line included, as one proposal;
- count all of its emissions; then
- approve it only if it carries its own climate cost by generating its renewable energy on site.

Rocky Hill already supplies the principle. Bowdens shows what happens when the principle is set aside.

References

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