

15 June 2021

Mr Nick Wimbush
Chair of the Fingerboards Mineral Sands Project Inquiry and Advisory
Committee
Planning Panels Victoria
1 Spring Street
Melbourne Victoria 3000

By email: Fingerboards.IAC@delwp.vic.gov.au;

Dear Mr Wimbush,

**Fingerboards Mineral Sands Project – updated EMF, mitigation register
and risk treatment plans**

We continue to act for Kalbar Operations Pty Ltd (**Kalbar**).

Enclosures

Please find enclosed updated versions of the following documents:

1. the Environmental Management Framework (**EMF**) contained in Chapter 12 to the EES;
2. the Mitigation Register, which is Attachment H to the EES (**Mitigation Register**);
3. the following risk treatment plans, which are attached to the Risk Management Plan included as Appendix B to the draft Work Plan (which is Attachment B to the EES):
 - (a) Airborne & deposited dust risk treatment plan;
 - (b) Noise risk treatment plan; and
 - (c) Water quality and hydrology risk treatment plan.

All updates made to the enclosed documents are shown as ‘tracked changes’.

Approach taken to updating the documents

You will see that in updating the EMF and risk treatment plans, Kalbar has not updated every map and table in them, but has instead focused on updating:

- the elements that are pertinent to mitigations and future management and monitoring requirements, in response to matters that have arisen out of the evidence and the submissions made to date; and
- legislative references, in particular, references to the *Environment Protection Act 2017* and the subordinate legislation made under it, which is due to replace the *Environment Protection Act 1970* on 1 July 2021.

Kalbar would update the remaining content and the Biodiversity risk treatment plan once a work plan application is made following the EES process.

White & Case
Level 32, 525 Collins Street
Melbourne VIC 3000
Australia

GPO Box 2756
Melbourne VIC 3001
Australia

T +61 3 8486 8000

ABN 17 847 592 731

whitecase.com

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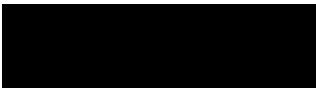
You will also see that Kalbar has made significant updates to the Mitigation Register in response to matters that have arisen out of the evidence and the submissions made to date. It is anticipated that the mitigations in the Mitigation Register will be further refined during the course of the hearing. In addition, it is noted that many of the mitigations listed in this register are substantively the same as the corresponding mitigations listed in the draft Work Plan (i.e. in the 'risk controls' set out in Attachment B to the Risk Management Plan), although the wording sometimes differs. For simplicity, Kalbar intends to use only the one set of mitigation measures set out in the Mitigation Register and any updates to it are intended to also apply to the mitigations in the draft Work Plan.

Finally, it is noted that the enclosed documents include comments in square brackets that are intended to help the reader navigate particular updates that have been made (or will be made) and the reason for them.

Incorporated Document

Kalbar has been discussing the form of the Incorporated Document with the Department of Transport (**DoT**) and Forest, Fire and Regions, Department of Environment, Land, Water and Planning (**DELWP**). While Kalbar accepts many of the changes DoT and DELWP requested be made to the Incorporated Document in their respective submissions to the IAC (Tabled Documents 367 and 377), there are a number of drafting matters still being worked through with DoT and DELWP. Kalbar aims to be in a position to share a revised version of the Incorporated Document with the IAC and the parties next week.

Yours sincerely,



Tim Power
Partner

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