

Submission Cover Sheet

Fingerboards Mineral Sands Project Inquiry and Advisory
Committee - EES

70

Request to be heard?: Yes

Full Name: Mary Baldwin

Organisation:

Affected property: 1 Riley Street

Attachment 1: Objections_to_Kal

Attachment 2:

Attachment 3:

Comments: See attached submission

Dear Inquiry and Advisory Committee members,

I am writing this submission about the Environmental Effects Statement for the Fingerboards mineral sands mine project. I strongly oppose the mine for the following reasons:

1. The dams to be constructed across several of the gullies together pose a catastrophic flood risk
2. Emissions of dust to neighbouring horticultural enterprises and homes
3. Effect on groundwater in the Latrobe aquifer
4. Risks, either real or imagined, to the reputation of the local horticultural industry, already worth millions of dollars annually.
5. Clearing of native vegetation
6. Imposition on residents, farmers, visitors both local and from afar
7. If approved, the "Project" will be under the control of a foreign company.
8. Objection to the Draft planning Scheme Amendment

My husband and I moved to Bairnsdale 36 years ago and with our family, have been growing vegetables then fruit on the Mitchell River flats on the outskirts of Bairnsdale. We have also been active Landcare members, working to restore our river frontage, lagoons on our property and adjacent crown land at Picnic Point. We are familiar with the climate of the area, **in particular the unpredictable consequences of east coast low pressure systems and the strong, gusty and variable winds which are prevalent particularly in autumn and spring.**

I would like to begin by stating that my initial position on the Kalbar proposal was open and I was more concerned about their use of our most valuable resource, water, than any other considerations. I visited the Kalbar tent at the 2018 East Gippsland Field Days, where I was assured that there would be no threat to water supply downstream of the mine.

I subsequently attended two information nights, the first of which raised significant alarm bells and the second of which, supposedly a "consultation" night, left me absolutely aghast. Again and again, in this latest session, Kalbar representatives seemed to thumb their noses at the local knowledge, hiding behind such phrases as "the EES only required one" or "more will be done if our submission is approved."

Although I was reasonably familiar with the site, a recent visit confirmed what I had realised previously: that the effects on those in close proximity, including some of the largest horticultural producers in the area, would be at the very least, devastating and at most, catastrophic.

Further downstream in the Mitchell Valley, the risks posed by east coast low rainfall, high wind events, effect on groundwater levels over summer and loss of "clean green reputation" are too high to be acceptable.

I would urge all ministers involved in evaluation of the EES to visit the area:

- to see for themselves the vast area and investment in horticultural production adjacent to and downstream of the proposed mine
- to appreciate the topography and its effect on windspeed and direction, and water movement under heavy rainfall conditions

- to understand the sheer size of the project and of the stands of native vegetation it proposes to destroy

Objection 1.

The dams to be constructed across several of the gullies together pose a catastrophic flood risk

The project will have negligible or no impact on the Gippsland Lakes Ramsar site. Changes to the surface water flow regime to the Perry River and/or Mitchell River due to the project will not be perceivable downstream at the Gippsland Lakes Ramsar site. Page 14 Summary Report "Biodiversity"

Modelling also predicted that the discharge during storm events of water coming into contact with mined areas (from water management dam spillways) will have a negligible effect on the water quality of Mitchell River and Perry River. Page 16 Summary Report "Surface Water"

Since 1984 there have been 3 "once in a hundred years" floods at our farm on the outskirts of Bairnsdale. These floods, in 1990, 1997 and 2007, all peaked at or above the 1936 level. They were all caused by east coast lows dumping massive amounts of rainfall on our region.

Kalbar has been here doing investigations over the drought years and has not taken into consideration the possible impacts of an east coast low, which could easily result in 200 ml of rain falling on its site in a 24 hour period. This would have disastrous effects downstream, with water pouring down the slopes, likely overflow of storage dams and piles of overburden and mined substrate washing down into the Mitchell Valley. Massive erosion occurred in the Hillside area in the last major flood as water poured down the slopes. The effects of this were readily observable as widespread areas of dirty water in the Gippsland Lakes.

Objection 2

Emissions of dust to neighbouring horticultural enterprises and homes

The project will result in emissions of dust and exhaust pollutants due to earthworks, wind erosion from bare ground and stockpiles, vehicle movements along unsealed roads and the use of on-site diesel generators. Air quality modelling was informed by data collected from within the project area and predicted that concentrations of PM2.5 (very small particles less than 2.5 microns in diameter), PM10 (particulates less than 10 microns in diameter), respirable crystalline silica and heavy metals will comply with air quality criteria at all sensitive receptors during construction and operations.

Air quality modelling predicted potential exceedances of air quality criteria during operations at nearby receptors for a maximum of four days of the year. Page 16 Summary Report "Air Quality"

I have read the Air Quality and Dust Management Plan, specifically concentrating on the measures to minimise dust, and am still not convinced that in the event of sudden and extreme gusty wind events, production would be stopped immediately to prevent very

significant dust clouds occurring over the Mitchell Valley. Our climate is one of extremes and is also notorious for getting inaccurate predictions from BOM, due to the variation in topography in the East Gippsland region. I appreciate that considerable thought and planning has been given to dust mitigation strategies, but who is going to police their enforcement?

At one of the community “consultation” meetings held towards the end of 2019 in the Bairnsdale Sporting & Convention Centre, one of the local farmers who has lived adjacent to the site for generations, pointed out that the monitoring device used by the Kalbar team had in fact been placed in the wind shadow; that in many other areas of the site, the wind came roaring down the gullies, as evidenced by the bushfire in 2014. The cattle took shelter in the said windshadow, untouched as the wind pushed the flames through other parts of what is now the Kalbar site.

We have had 3 days of very strong gusty winds in just the last week (September 21-27), and it is hard to imagine dust not being blown everywhere in such conditions.

It was suggested at the meeting that the dust raised would be similar if the neighbouring farmer were to be working up his ground for a crop. Two differences:

- As farmers, we try to avoid working up land when conditions are unfavourable
- We can ask the neighbour to stop if his actions are adversely affecting our workers/crops. Kalbar has stated that they will be operating 24 hours/day, 365 days/year. They won't be stopping for anyone!

Even if an agreement were to be put in place whereby the company agreed to cease work if conditions were unacceptable, who is to police this? How much notice will be paid to the complainant when the company has its full complement of workers, trucks, etc in operation and the cost and inconvenience of ceasing operations would be huge?

Objection 3

Effect on groundwater in the Latrobe aquifer

Numerical modelling was undertaken to predict the potential impacts of abstraction of water from the Latrobe Group Aquifer for project water supply (from a borefield south of the project area). The modelling found that groundwater levels in the immediate vicinity of the borefield would reduce by 12.5 metres during construction and 14 m during operations. The modelled drawdown reduced with increasing distance from the borefield, with a maximum modelled drawdown at nearby groundwater wells of 5 metres during construction. Page5 Summary Report “Groundwater”

Analysis of uncertainty related to the quantity of required groundwater supply was also undertaken, with extraction from the Latrobe Group being expanded from the base case assumption, of three years to 15 years. Modelling showed that, although extended extraction of groundwater from the Latrobe Group Gravels for 15 years causes extensive drawdown within this aquifer, this does not greatly affect the modelled water balance components compared to the base case scenario. This suggests that even over the long term, impacts related to groundwater extraction are constrained to the deeper aquifer system. Attachment C

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This would have a disastrous effect on nearby horticulturalists reliant on this aquifer to replace surfacewater during summer. The Mitchell River is usually subject to water restrictions over summer, and many growers rely on their bores for continued water supply.

Objection 4

Risks, either real or imagined, to the reputation of the local horticultural industry, already worth millions of dollars annually.

High quality horticultural production occurs within the Lindenow Valley northeast of the project area.

This industry has had millions of dollars invested in it over many years. It is a major producer of vegetables for Australia and for export and is a major employer within the local area. It already produces in excess of **\$150 million of product each year and employs up to 2,000** workers at the height of the harvest period, many of whom are employed year-round.

The total net economic benefit of the Kalbar project is estimated to be \$392.4 million in net present value terms and includes the direct provision of approximately 200 full-time jobs during operations (Attachment C)

The horticultural industry has worked hard to create and maintain a 'clean green image' for its produce and there is concern that a mine as proposed by Kalbar will put this reputation at risk. No matter what the monitoring predictions are proposed to be, the very idea of an open cut mine just upstream in the major water source and in close proximity to this valley must have negative connotations to customers, both current and potential. Kalbar would be out of the area in 20 years. **These businesses have been here many times longer than that and plan to be here for many more decades to come. It is vital that their reputations are not put at risk by such a short-term, potentially devastating, development.**

Objection 5

Clearing of native vegetation

The project will clear up to 188.5 hectares of native vegetation including 1.74 hectares of the nationally listed Gippsland Red Gum Grassy Woodland and Associated Native Grassland ecological community and at least 11.57 hectares of the state-listed Forest Red Gum and Grassy Woodland ecological community. Page 13 Summary Report "Biodiversity"

As a fraction of the total area under consideration, this may appear insignificant. However, in light of the massive loss of native bush and wildlife habitat which occurred last summer, this is indeed a very significant area. Our Landcare group has been working on the restoration of a small area (about 4 hectares) on the outskirts of Bairnsdale for over 20 years. It's not just a matter of tossing a few seeds in the ground; it has taken years of followup watering during drought and constant battling against invasive weeds to set the area on the road to recovery. Large canopy trees take years to reach their former height and the whole ecosystem has to evolve accordingly.

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Downplayed in the EES is the significant area of **native grassland, much of it on privately owned land, which is being grazed sensitively and is home to several species of orchids and other rare species.**

I cannot see these areas being returned to their current state after the miners have left.

Objection 6

Imposte on residents, farmers, visitors both local and from afar

Residents living adjacent to the project area are likely to experience the greatest change in amenity from ground disturbance associated with the project. The way in which these residents respond to this change will vary according to the individual. Changes to amenity may impact the way in which some residents identify and interact with their local area. Noise and dust controls and a range of land management measures will be adopted to reduce the potential for these residents to experience a change in amenity. Changes in amenity could also impact on tourism and recreation within the broader region, including diminishing the value of businesses reliant on tourist visits. Page 20 Summary report "Socioeconomic"

The objections I would make here are in part similar to those in the film, "The Castle", in that these residents have lived here in many cases all their lives and do not deserve to have their homes, their farms, and their environments destroyed in such a hideous way. Some tourism businesses will suffer greatly as will many locals and visitors who have always enjoyed a trip up the Mitchell Valley to the Glenaladale National Park or further.

Objection 7

If approved, the "Project" will be under the control of a foreign company.

Which company is going to be operating this mine? Do we know its record as regards experience in this sort of mining, their record on emissions control, on rehabilitation? If it is a foreign-owned company(as it probably will be, as some of the larger Australian-based companies have already rejected the proposal as uneconomic), how certain can we be that the land will be rehabilitated at all?

According to ASIC documentation lodged on 23 July 2020, **AKNR (Dutch) purchased 5,000,000 shares in Kalbar Operations Pty Ltd on 7 July 2020 – bringing their total share ownership to 11,666,666 (94%)of Kalbar Operations Pty Ltd's 12,396,668 shares.**

Around the same time an agreement between the companies entitled AKNR to appoint an extra director (to have the majority of directors) and removed the need for unanimous vote by the Board. **This means Dutch company AKNR has control of the board of Kalbar Operations PL and the future of our area is in the hands of people who are even less invested in our wellbeing than Kalbar Limited.**

On 22 September Kalbar Operations lodged two documents with ASIC requesting change to what was previously submitted.

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1. **24 June 2020** **Reported 7,396,668 shares worth \$11,095,001**

(AKNR 6,666,666 shares)

Apparently had 105,598,493 worth \$158,397,738

7 July 2020 **Reported 12,396,668 shares worth \$18,595,001**

(AKNR 11,666,666 shares)

Apparently had 110,595,001 shares worth \$165,897,738

So in theory Kalbar now owns 89.5% and ANKL has 10.5%.

I would expect that very soon these figures would revert to a greater share of foreign ownership and our region, its beautiful surrounds, clean water and vibrant horticultural industry will be sacrificed to the greed of global investors. There are far more suitable sites for mineral sand mines in other parts of Australia involving less risky, less invasive and less expensive methods of extraction.

Objection 8

Objection to the Draft planning Scheme Amendment (Attachment C)

A significant amount of the infrastructure for this mine is to be located outside the mine project area. This would require acquisition of private and public land as well as removal of

Isn't this something the local East Gippsland Council should determine?

I would like to thank the Panel members for allowing me to make a submission

Mary Baldwin