

Presentation of Submission 765 (Gasfield Free Bairnsdale) on 29/6/2021

On behalf of Gasfield Free Bairnsdale (GFB), we reaffirm our group is strongly opposed to the Fingerboards Mineral Sands project for the reasons outlined below.

A) Background

1. Please refer to submission 765 and our supplementary submission on centrifuges in addition to this submission. Part B submissions from the East Gippsland Shire Council (Tabled Document 407) and Mine-Free Glenaladale (Tabled Document 451) provide further supporting evidence why the EES is inadequate and has failed to meet its scoping requirements.

B) Where is the Environmental Effects Assessment of all the Project Changes?

2. Having watched every day of the hearing, it is disturbing that at this late stage there is still uncertainty in this project which required the proponent to prepare another project description which was submitted on Friday 25 June (Technical Note 039). There is a lot of information in that document that hasn't been evaluated by all experts. Where is the assessment of the environmental effects of these changes against the scoping requirements? They could be catastrophic given the mine's location, and that it is so close to where many people live, work and farm. Without that assessment there are significant risks of adverse environmental effects with unacceptable consequences.
3. To add to these concerns, many technical notes have been lodged after expert witnesses have given their evidence, without independent scrutiny of them and their environmental effects. Information was, and is still being released, via technical notes that have not been assessed by the experts nor in their conclaves. Unacceptable environmental outcomes are highly probable as there has also not been any oversight of cumulative impacts between expert areas of evidence. An example is the recent advice, after expert evidence was presented, that it is now intended to bulk handle the HMC, containing uranium and thorium, at the Port of Geelong. As stated by the IAC Chair on 3 June, the IAC had understood the HMC was to be transported in a sealed container onto the ship and if this was now not the case, bulk handling would introduce additional risks. Bulk handling of the HMC is now confirmed (TN 039; p 1). Human health risks from exposure to the HMC is unacceptable, particularly to all workers and those who would live near the mine and the Port of Geelong. The principle of equity under the new EPA Act 2018 (Section 21) dictates that "*all people are entitled to live in a safe and healthy environment.*" The adverse risk to human health of this exposure is totally unacceptable.
4. How can the environmental effects be properly assessed without independent expert evaluation about everything that is proposed? There are many project elements that are yet to be fully specified, tested, or understood. Centrifuges have never been used in mineral sands mining, so the risk of a major failure is extremely high considering Kalbar has no experience operating a mine. Why haven't the big mining giants with much bigger pockets than Kalbar tried this technology if it had any merit? Centrifuges are untested so the risks are unknown and therefore dangerous at this location considering the unstable ground of dispersive soils which only compound the environmental risks. On the first hearing day the proponent said they have 'no onus of proof'.

C) Agricultural/Horticultural Land Needs to be Protected

5. GFB was formed over 8 years ago in response to a large exploration licence for unconventional gas mining on farmland near Bairnsdale. Nearly 900 landholders, mostly farmers, were surveyed with 98% responding they did not want gasfields on their land. The names of the 11 surveyed districts are in our initial submission. Lindenow was under that licence however it wasn't surveyed before the Victoria Government made its decision to permanently ban fracking. A reason for that decision was to protect agricultural land.
6. This project significantly threatens the viability of productive agricultural land on and surrounding the mine footprint, including over 4000 hectares of horticulture and viticulture industries in the Lindenow Valley 'food bowl' which are as close as 500m from the project boundary. The livelihood of those business owners is also threatened should contamination (perceived or real), access to clean water or health impacts occur to their families or workers. Four draft evaluation objectives are not met: resource development; water; amenity & environmental quality; and social, land use & infrastructure.
7. The value of the Lindenow Valley food bowl was recognised in July 2019 when that land was exempted by the Government from mining and minerals exploration, as there was a retention licence also on that land. The exemption was to: *"Permanently safeguard this prime agricultural land that produces world class food and secure the employment opportunities it creates, well into the future"* as it is an area *"of exceptional agricultural value,"* (Premier of Victoria, 2019). It is contended, there is little point in safeguarding the Lindenow Valley if the Government approves a mine that threatens the very viability of this prime agricultural land and the livelihood of those growers.
8. In our initial submission we spoke about a study released by Melbourne University with planning strategies on how to protect Melbourne's agricultural farmland from encroaching housing developments (ABC News, 2019). It is clear from that study that land suitable for large scale agricultural/horticultural production is rapidly diminishing. The State needs to ensure the viability of its food bowls are not compromised, including the Lindenow Valley.

D) Job Impacts not Fully Assessed

9. For every direct job in agriculture, 4.26 indirect jobs are created (National Farmers Federation, 2017). Only one indirect job will be created for every direct job from the project (Coffey, 2020; p 29). It also follows, every job lost in agriculture has a 4 times multiplier loss effect which will have unacceptable consequences on the local economy and is a major adverse economic effect should loss of direct jobs occur.
10. The project claims that at best 200 operations jobs could be created, of which 67% are contractors with 30 truck drivers required (Coffey, 2020; p 29). Kalbar will be competing with the horticulture industry for truck drivers, jobs which are already difficult to fill as the IAC has heard.

11. Jobs won't necessarily go to 'true' locals either, with Kalbar's 'Local Content Guidelines Policy' defining locals as 'within Australia' (Kalbar, 2020; p 1). Kalbar changed this policy document to remove '*within Australia*' in the EES although both policy documents had the same approval date and version number (Coffey, 2020; p 29 and Appendix B). As of 1 June 2021, '*within Australia*' has been put back into that policy document (Kalbar, 2021; p 1).
12. Based on irrigation data, the horticulture industry could create 3 times more jobs than the project if that industry had access to the nearly 3 GL of water needed by the project. The horticulture jobs are long-term sustainable ones that would also create 4 times more indirect jobs than the project.

E) Water Availability Unresolved

13. On 6 May, Mr Muller stated in his expert evidence for the proponent that the error in the water balance, in the order of nearly 2 billion litres (2 GL) of water annually, occurred due to data supplied by the proponent. This error could have had dire unacceptable consequences if it wasn't discovered. What other errors are there in the EES that have yet to be discovered?
14. Of the 6 GL of winter-fill licences that were available, 2 have been allocated to GLaWAC and another 2 GL have recently been auctioned to irrigators. That auction resulted in greater interest than supply and was oversubscribed. The remaining 2 GL is to be made available for auction soon. Depending on the eligibility requirements, the proponent will be competing with other users for that water which means the EES scoping requirements have not been met.
15. The other proposed source of water is groundwater from a bore field. Many problems were identified with the only pumping test done, so another test is proposed in an area outside the original bore field. Therefore, there is no confirmed source of groundwater either. Without guaranteed sources of water, the environmental risks from uncontained dust and an inability to rehabilitate the land are unacceptable; the project is not viable without sufficient water. In a scoping study undertaken for Rio Tinto when they held the exploration licence before selling it to the proponent, it rated access to water as a "*risk area that may have no viable solution, and was considered to represent a potential fatal flaw in the project,*" (Rio Tinto, 2012; p 54) on the basis of the "*potential inability to identify a reliable water source(s),*" (Rio Tinto, 2012; p 55).
16. Farmers who were impacted by the threat of fracking are now concerned about the impacts the project will have on their aquifer. If there is aquifer interference (which is possible according to Southern Rural Water), or the farmer's ability to draw sufficient water is impacted, or their water becomes contaminated, it will have detrimental consequences on their farming business and livelihood. Without water from the aquifer, they have no farming business, as these farmers have no surface water access.

17. This map is where surveying was completed (area bordered in red). The City of Sale relies on the Boisdale aquifer which is also used by these farmers.



F) Proponent's Continued Failure to Engage with the Community

18. In response to the proponent's late introduction of centrifuges shortly before the hearing was to start, which caused an 11-week adjournment, the IAC asked if any further changes were proposed. None were declared. On 17 May the proponent announced they had applied to ERR for a mining licence the previous week, expanding the area from 1,675 to 2,143 hectares. No surveying of this additional area has been undertaken for biodiversity or cultural heritage loss. The proponent said a reason for applying for the licence was due to failed commercial negotiations with a landholder. This action amounts to compulsory acquisition, which is contrary to Tabled Document 18.

19. Furthermore, more landholders are now impacted, with no prior advice to all of them before and since that application was lodged. Clearly, the proponent feels no obligation to inform them. This makes a total mockery of claims by the proponent that they consult and engage with the community; mitigation strategies that rely on 'community engagement' will fail as they are hollow words. The IAC is asked to take heed of what has occurred as a predictor of future behaviour. The proposed Environmental Review Committee (ERC) as described in Technical Note 027 will also fail. It states, "From the inception of the project exploration to the present day, we have consistently engaged with all stakeholders openly and honestly," (Kalbar, 2021; p 004). There are many examples, including this one that prove that statement is false.

G) Conclusion

20. There is no social licence for this project. Given the environmental effects from the many changes that have occurred to the project have not been assessed by all experts, the precautionary principle dictates that the risk of failure poses unacceptable risks given the fragile environment in which the project is located and the number of families who live nearby. There has been no assessment by the proponent of all the changes against the scoping requirements and in the absence of this, the project must be rejected due to the inadequacy of the EES. What has happened makes a mockery of the EES process if this project was allowed to proceed.

Thank you for the opportunity to present our submission.

Debbie Carruthers, Gasfield Free Bairnsdale Co-ordinator

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