IAC ORAL SUBMISSION

ROBYN GRANT SUBMITTER 546

Hearing date 1st July 11.45

In the time allotted today I will concentrate on only a few areas.

My background has been in education including indigenous education, agriculture and the natural sciences.

TOURISM

I have operated an accommodation business on our property for 21 years and another at Mallacoota which has just been rebuilt following the bushfires in December 2019.

Apart from guests staying in the accommodation we have also hosted many hundreds of international and Australian travelers involved in an agricultural program.

All have enjoyed staying in East Gippsland.

Tourism is a multimillion dollar industry in East Gippsland. Visitors come to this region to experience the natural environment, the beaches, rivers, National Parks, mountains and the iconic Gippsland Lakes.

The proposed mine is situated at the gateway to the Mitchell River National Park, the Alpine National Park, the Victorian Alps and the popular tourist destinations of the Wonnangatta Valley and the historic township of Dargo.

The proponent has underestimated the number of tourism operators which will be impacted and has ignored the possible effects the mine proposal will have on tourism.

Visitors welcome the peace and serenity of the area and the beauty of the landscape. One must consider the effect the proposed mine will have on the tourists as they travel through an unsightly disturbed landscape and experience dust, noise and vibration 24/7. Many will be reluctant to return.

The popular Coonwarra Camp which is in the vicinity of the proposed mine, which hosts individual groups, private functions

and thousands of school children throughout a year, will be greatly affected.

Many of the school children who have attended Coonwarra return to the area in their adulthood to experience once again what this natural environment has to offer.

The Barn is also nearby which hosts many large groups.

For myself our property is 9 km from the proposed mine site. We will not be able to live there and will not be able to operate a tourism business because the ambience and tranquility will be destroyed.

Tourism in this area has in the past been affected by natural disasters such as bushfires, floods and algal blooms and more recently by Covid 19.

We don’t need this proposed mine to add to the longterm uncertainty of the future of tourism operators.

If rivers and the Gippsland Lakes are polluted leading to fish kills and more frequent algal blooms tourist destinations on the lakes will see a huge decline in tourist numbers.

An algal bloom in the early 1990s saw Paynesville on the Gippsland Lakes totally deserted.

CULTURAL HERITAGE

I have been associated with First Nations People for many years being involved in educational programs and activities with members and elders of the Gunaikurnai community.

More recently with their strong opposition to the mine.

The project area and surrounds of the proposed mine are rich in First Nations culture.

There has been a failure by the proponent to fully document the depth of cultural significance in this area.

In Appendix A017 Cultural Heritage Impact Assessment the emphasis has been on artifacts and scar trees ignoring the importance of the environment to First Nations People.

The grasslands, the trees, the waterways and river systems which provided food and fibre in times past are still culturally significant today.

The proponent failed to identify the existence of marker trees in the area, one of which will be destroyed by mining. These marker trees are not scar trees but trees where two branches are tied together and as the tree matures the branches fuse together to form a circular shape.

Reading Appendix A017 it was disturbing to note the proponent's obvious attitude to First Nation culture with these statements:

1. "*Given the essential nature of the preferred mining technique proposed by Kalbar (open cut mining) impacts to cultural heritage values, within the proposed mine area have been treated as unavoidable."*

2. "*Cultural heritage site impact avoidance through infrastructure relocation was generally not a feasible option."*

A017 8.6 Risk Management measures.

The proponent has said that the Aboriginal Cultural Heritage Management Plan (CHMP) which will be developed following mine approval will include site specific management conditions,

although it states that "*these management conditions will be designed to either avoid Aboriginal cultural heritage places (if appropriate)*."

With the words "if appropriate" how serious is the proponent to preserve cultural heritage in the area. This statement is also contradictory to the statement above.

One of the General management conditions is for all personnel involved in ground disturbing activities to participate in a cultural heritage induction.

How practical will this be and to what depth of instruction are they intending?

I doubt whether a person on a bulldozer or other large machinery will stop what they are doing if they chance to see an object from their cabin in the dust and disturbance of a mine site.

Who will oversee the management measures and conditions in the Cultural Heritage Management Plan?

The proponent has stated that unidentified cultural heritage has a major/high risk of destruction.

The Gunaikurnai people do not want this mine.

In the GLaWAC Interim Position Statement April 2019 Kalbar Resources Ltd – Fingerboards Mining proposal it states

"*GLaWAC is opposed to any development that conflicts with the principles of our Whole of Country Plan and Elders advice."*

"*The rights and views of the Traditional Owner of Gurnai Kurnai country must be respected and understood. Aboriginal People are part of their country and they have a deep spiritual connection responsibility to care for country."*

"The proposed mining operation will disturb and hurt the cultural connection of the Traditional Owners to the land, air and water that is part of the development area."

Whole Country Principle that GLaWAC upholds and uses for its decision making concludes:

DON'T WAIT UNTIL IT IS GONE.

“When you lose a site, it’s gone forever. We need to act now to prevent any further loss of environmental or cultural values.”

MITCHELL & PERRY RIVERS

The proposed mine development will impact the heritage listed Mitchell River, the internationally recognized Ramsar listed Wetlands and Gippsland Lakes and the Perry River.

The risk to the Mitchell River is extremely high given the location of the mine which is within 350 metres of this waterway. The project site is situated on the plateau with steep gully systems leading down to the river.

Water extraction, leaching of contaminates including flocculants and dust will affect river health. Runoff from east coast rain events will not be able to be contained in holding dams.

In the time I have lived here severe floods have occurred in these years:
1985,

1988,

1990,

1998,

2007,

In 1990 we also experienced a localized rain event of 78 ml in 10 minutes; the rain was so heavy that there was very little oxygen in the air. People caught in this rain had difficulty breathing and sheets of water covered the hills and valley. This rain was not predicted by the Bureau.

Contamination of the Mitchell River will affect aquatic life within the river and also downstream in the Gippsland Lakes. Some of the species affected will include fish, platypus, the Burrunan Dolphin and migratory birds. Seagrass beds which provide habitat, breeding grounds and food sources for many species will be depleted. Deaths of Burrunan dolphins have occurred previously due to toxic substances entering the waterways.

Large amounts of extraction of water from the river and groundwater will increase salinity levels in the Gippsland Lakes

adding to the demise of the Lakes ecosystem and affect the fringing wetlands.

The unnamed tributaries of Honeysuckle Creek, north of Permit Track, form the headwaters of the Perry River. The topography to be mined consists of steep gullies within a pine plantation. Having walked these gullies they still have intact chain of ponds formation with riparian vegetation and interesting aquatic and terrestrial species. All this vegetation and EPBC listed species will be destroyed if the mine proceeds.

In the Water Technology Witness Statement dated January 2021 3.3.5

Mr. Cheetham stated "*Some remnant chain of ponds exists along the unnamed tributary of Honeysuckle Creek, this is far from an intact system and one that would not usually be the focus of preservation much less geo conservation".*

How can Mr. Cheetham make this claim?

Mr. Cheetham commented that "*The system is now highly modified as a result of agricultural practices and in my opinion not intact".*

This unnamed tributary has never been subject to agricultural practices, as prior to the pine plantation being established it was good quality native forest.

With the recent restoration of areas of the Chain of Ponds in the Perry River by the WGCMA one cannot rule out that a restoration project will not be extended to include the tributaries. Mining this area will never see its preservation.

Damming of this tributary is unacceptable as it will affect water flows into the Perry River affecting the chain of ponds impacting Providence Ponds Reserve and the Gippsland Lakes.

Mining will add to sediment levels affecting this whole river system.

The economic viability of using centrifuges is questionable and the fact that they have not been used in mineral sands mines before. A tailings dam may still be under consideration by the

proponent. A tailings dam would pose a huge threat to both the Perry and Mitchell Rivers and the Gippsland Lakes.

BIODIVERSITY

Baseline Study Document (Coffey 2015)

4.3 Biodiversity

16 months following the Mt Ray fire in 2014, which burnt 6738 hectares, (approximately 70% of the project area) Coffey employed an ecologist to assess the ecological values of the area. Their assessment has not been included in any documentation.

Fire recovery takes many years before habitat and food resources are restored. Fire response species are first to return then other species follow years later.

Ecology and Heritage Partners surveying began in 2016 less than 2.5 years following the 2014 fire.

13 of the 42 days of surveying listed in the EES occurred during 2016.

2017 saw the beginning of the 3 lowest consecutive years of rainfall on record.

In 2018 the average rainfall was nearly halved and yet this was when the majority of surveying took place, 22 days of the 43 survey days.

In 2019 less rain fell than in 2018, 7 days of surveying completed.

One could conclude that all the surveying by Ecology and Heritage Partners for the EES occurred shortly after or during severe adverse environmental conditions.

This would account for other omissions in the EES Document A005 including failure to identify the critically endangered EPBC listed Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plain.

The weather conditions in 2020 produced an amazing display of grassland species, large swathes of orchids, bulbine lilies, chocolate lilies and other flora on roadsides and in farmland. Native grasses also proliferated.

6th November 2020 Ecology and Heritage Partners did one day's surveying for the Gaping Leek orchid.

Although Ecology and Heritage Partners complied with DELWP and DEWHA survey standards, these standards we know fall short of protecting species, as evidenced by the number of extinctions we see occurring in Victoria and across Australia.

Having been involved in Greater Glider surveying, it took 107 hours of surveying to locate this species in known habitat. If this program had followed DELWP's monitoring guidelines this species would not have been recorded.

GIANT BURROWING FROG

It was interesting to read Mr. Casey's submission, Document 167, that his acoustic monitoring program had recorded the Giant Burrowing Frog in the project area during the 6 months ending April, 2021, with the actual recording occurring in April. His previous research took nearly 2 years to detect the call of the Giant Burrowing Frog (GBF) at Stoney Creek. This contrasts with the 4 nights Ecology and Heritage Partners allowed for a

targeted Giant Burrowing Frog survey (This survey was combined with a targeted nocturnal survey on 27th – 30th November 2018).

It was also at the height of the drought even though some rain had fallen prior to the surveying.

I feel that unwarranted assumptions were made by Mr. Organ regarding the Giant Burrowing Frog habitat.

Mr. Organ stated in correspondence 4th June 2021 that the GBF "*are located in areas characterized by high quality riparian vegetation connected to extensive areas of high quality forest habitat which is consistent with the species habitat preference.*"

I am familiar with the area along Stoney Creek where Mr. Casey recorded the frog in May 2020.

This ephemeral stream is reduced to the odd pool until substantial rainfall occurs.

The creek is bordered by farmland, not fenced, and is accessed by stock. In dry times the pools contain manure, slimes, algae

and poor water quality, not an ideal habitat for frogs or other aquatic life.

The banks of the creek are pugged and eroded, with the riparian vegetation scarce and degraded due to browsing and trampling by cattle and Sambar deer.

The forest and National Park to the west and south surrounding this site has been subject to many disturbances, from logging, cattle grazing and regular fuel reduction burning.

This site dispels the theory that the frog only exists in high quality forest and riparian habitat and has a low likelihood of existing in the project area.

Mr. Organ has also made the assumption that because the gullies in the project area remain dry for most of the year that the area is "*unlikely to be suitable for successful laval development and recruitment*".

The site on Watts Creek in Mt Alfred State Forest where Dr. Bilney recorded the frog in 2005 remains dry for long periods of time. The forest surrounding the site is not of high quality as it

is subject to regular fuel reduction burns and firewood collection.

Reference: Observations of Giant Burrowing Frogs *Heleioporus australiacus* (Limnodynastidae) in the Mitchell River catchment, East Gippsland, Victoria. Rohan J Bilney

Reference: Spatial ecology of the giant burrowing frog (Heleioporus australiacus): implications for conservation prescriptions. Trent D Penman January, 2008

Mr. Organ has suggested the possibility of relocation of the Giant Burrowing frog if found in the project area, but so little is known about this species that this is not an option at this stage without years of research.

A landholder identified a Giant Burrowing Frog in the vicinity of Moulin Creek just outside the project area in 2020 but at the time did not know of its significance.

Further long term acoustic recording is essential to determine the extent of the presence of the Giant Burrowing Frog in the project area.

Just recently the Victorian Government has halted a $531 million duplication of a rail line because of one sighting of the Eltham Copper Butterfly.

The rich diversity of EPBC and FFG listed flora and fauna and critically endangered ecosystems at the Fingerboards will be destroyed. There is far more at risk here than one butterfly.

Some other concerns regarding the EES document A005:-

1. No guarantee that the 200 ha which Dr. Gibson Roy plans to re-establish with grassland species will be protected in the long term. The landholder agreement of one of the covenanting organizations put forward by the proponent does not exempt the area from mining. This could also apply to any offset sites. Dr. Gibson-Roy has suggested the use of Flurpropanate as weed control on the grassland rehabilitation. Research has shown that this chemical can damage Microlina sp. (weeping grass), Danthona sp. (wallaby grass) and Stipa sp. (spear grass), native grasses which are abundant on roadsides and private property in the project area.

2. The mitigation measures proposed by the proponent to protect wildlife would not be practical in a project this size.
3. Engagement of an ecologist to save fauna which had fallen into the mine void or infrastructure site. Checking of trenches (24/7?)
4. Proposed escape ramps to allow animals to escape (45m long ramps in pits?)

5. Replacement of hollow bearing trees with nest boxes. It would be impossible to provide enough nest boxes to replace the number of tree hollows in the project area. Also it is not one size fits all. Tree hollows are prime real estate due to extensive clear felling in neighbouring forests, land clearing and fuel reduction burning.

6. Biosecurity measures to protect biological ecosystems have not been fully considered. The threat exists to terrestrial and aquatic species from the spread of pathogens and disease by movement of machinery and other vehicles.

7. The effect of radiation exposure on natural ecosystems and individual species not assessed.

8. The unreliability of desk top data, as data is difficult to upload, is usually out of date and many in the community are unaware of these data bases and the significance of the sightings of species so many species are not recorded (several sightings of Spot Tail Quolls in the Glenaladale area as late as May 2020 and at the pumping station in 2021)

9. Lack of biological surveys in the area by DELWP.

10. Initial oversight by Ecology and Heritage Partners to identify the extent of native grasses and listed species on private land has them describing the farmland as …"*supported by disturbed pasture dominated by non native flora species*."

11. Rehabilitation will be compromised as a result of incorrect identification of grassland species.

12. Failure by the proponent to identify the critically endangered EPBC listed Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plain.

13. The proponent has not outlined the full extent of disturbance to EPBC listed species and Saplings Morass by the infrastructure corridor and the proposed rail siding at Fernbank East.

14. Ecology and Heritage Partners noted that the Gaping Leek Orchid did not have a recovery plan and yet the Recovery Plan was developed and released in 2010.

15. The proponent has failed to identify offsets and there is no guarantee that appropriate offsets can be secured prior to mine approval. Offsets should not be staged.

16. Groundwater dependent ecosystems in the project area have not been identified.

17. The property 2705 Dargo Rd requires a comprehensive ecological and cultural survey to fully realize the ecological values present at this site.