MORALS AND ETHICS

As parents / adults, we have a moral and ethical obligation to leave to our children / future generations, more options for them to navigate through their lives. To foreclose options, which the Kalbar project will do is nothing short of a remote form of tyranny. Stealing from the future and selling it in the now while unfairly imposing the cost burden of repair on future generations.

Kalbar's myopic, corporate paradigm of the need and benefit of constant economic growth, - which is a biophysical impossibility in an interconnected universe of ever-novel cyclical processes, completely ignores Nature's inviolable ecological realities. As such, has presented a neo-classical blueprint of resource extraction in a sensitive environment. The proposed project is a relic from the past and will never be a resource project of the future.

Low-tier consultants who have more in common with the world's oldest profession than scientific analysis have been employed to 'scientifically prove' – under the auspice of 'world's best-practice', which is just a euphemism for minimum standard – that no matter what, the project and its operations and outcomes will be benign, and arrogantly, beneficial to the environment and all those who inhabit the surrounding area. With incomplete knowledge and short-sighted, unquestioning faith in that knowledge, technical information provided in the EES and to the community has been biased, statistics have been used selectively, and arguments left out if they counter a preferred position. This isn't science, this isn't risk management.

Ensuring a healthy environment is the foundation of a sustainable society. This is clearly written and communicated in many religious texts

Christianity / Bible

- Revelation 11:18 – *'God will see destroyed those who destroy the earth'.*
- Isaiah 24 – shows the relationship between man and earth
- Leviticus 25:23 – the land is God's and the people are tenants….*what does a good tenant do? Preserve the foundation/s of life – food, water, shelter….and love*

Hebrew / Torah

- Genesis – *'Be careful not to destroy my world, for if you do, there will be nobody after you to repair it'*
- Psalm 24 *'the earth is the Lord's and the fullness thereof'* – meaning, any act that damages our Earth is an offence of God's ownership of the land.

Hinduism / Rig Veda

- Communicates the divine nature of air, water, vegetation, soil
- Throughout the Hymns there is a clear message that the environment belongs to all living beings, so it needs protection by all, for the welfare of all.
- 'The oceans are treasure of wealth, protect them' (Yajurveda 38.22); 'Do not poison/pollute water and do not harm or cut the trees' (Yajurveda 6.33); Do not disturb the sky and do not poison/pollute the atmosphere' (Yajurveda 5.43).

Buddhism

- Espouses the benefits of an undefiled environment – clean air, water, and soil, shade
- Includes the protection of the various defenceless creatures that have no say in having to either live or die from our actions

Islam / Qur'an *paraphrased*

- *'And do not commit abuse on the earth, spreading corruption.'* (Qur'an, 2.60); *And do not desire corruption on the land. Indeed, God does not like corruptors.'* (Qur'an 28.77)

Shintoism

- Nature is divine
- Every aspect in the landscape are viewed as dwellings for the divine

Daoism

- The Principles of: Harmony with Nature, affluence in biodiversity
- Restrained in the over-exploitation of resources

Despite careful legislative analysis by Kalbar's legal team, legal interpretations undertaken to communicate that Kalbar is a law abiding entity, sadly contradicts the Purposes and Objectives of many Sate and Commonwealth Acts and fails to acknowledge realities of the Project's operational outcomes.

THE LAW

Kalbar's undertaking the EES is no more than a box ticking exercise that 'tells what is needed – yet surrenders no further information'. Project strategies adopted to appear legislatively compliant are arbitrary and capricious.

Acts that I have come to understand haven't been researched or referenced

- Nuclear non-proliferation (safeguards) Act 1987
- Export Control Act 2020

EPBC Act 1999

Definition - ***"ecologically sustainable use"*** of natural resources means use of the natural resources within their capacity to sustain natural processes while maintaining the life-support systems of nature and ensuring that the benefit of the use to the present generation does not diminish the potential to meet the needs and aspirations of future generations.
Kalbar want all the resources, at the cheapest cost, extracted as fast as possible. The project's outcomes contradict ecologically sustainability.

Sec 3
(f) includes provisions to enhance the protection, conservation and presentation of world heritage properties and the conservation and wise use of Ramsar wetlands of international importance; and

(fa) includes provisions to identify places for inclusion in the National Heritage List and Commonwealth Heritage List and to enhance the protection, conservation and presentation of those places; and

'enhance' and 'protect' means no net-loss. Kalbar's project can not deliver this requirement.

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 - SECT 3A

Principles of ecologically sustainable development

Principles of ecologically sustainable development

The following principles are ***principles of ecologically sustainable development*** :

(a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;

(b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;

(c) the principle of inter-generational equity–that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;

(d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;

(e) improved valuation, pricing and incentive mechanisms should be promoted.

PLANNING AND ENVIRONMENT ACT 1987

SECT 1 Purpose
The purpose of this Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

SECT 4 Objectives

Objectives
(1) The objectives of planning in Victoria are—

(a) to provide for the fair, orderly, economic and sustainable use, and development of land;

(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

Kalbar's project isn't sustainable (it has a 20 year plan....a finite amount of resource). It does not preserve, protect, enhance or secure environmental and ecological Capital for anyone, ever.

SUSTAINABILITY VICTORIA ACT 2005

SECT 4 Principles
It is the intention of Parliament that in the administration of this Act the following are to be considered as guiding principles—

(a) that decision making processes should effectively integrate both long-term and short-term economic, environmental, social and equity considerations; short-term profit take-all

(b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation; violates every benchmark

(c) the need to consider the global dimension of environmental impacts of actions and policies; extinction debt, threat to global commons – oceans, air, RAMSAR Listed Gippsland Lakes, Providence Ponds

(d) the need to develop a strong, growing and diversified economy which can enhance the capacity for environment protection; commodity extraction is profit based, so disappointingly doesn't deliver on promised outcomes – jobs. It promotes homogeneity opposed to diversity

(e) the need to maintain and enhance international competitiveness in an environmentally sound manner; the project is not environmentally sound

(f) the need to adopt cost effective and flexible policy instruments such as improved valuation, pricing and incentive mechanisms; valuation metrics are outdated

(g) the need to facilitate community involvement in decisions and actions on issues that affect the community. Has been inadequate, condescending

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WATER ACT 1989

SECT 1 Purposes
This Act has the following purposes—

(a) to re-state, with amendments, the law relating to water in Victoria;

(b) to provide for the integrated management of all elements of the terrestrial phase of the water cycle;

(c) to promote the orderly, equitable and efficient use of water resources;

(d) to make sure that water resources are conserved and properly managed for sustainable use for the benefit of present and future Victorians;

(e) to maximise community involvement in the making and implementation of arrangements relating to the use, conservation or management of water resources;

Again, catch words – 'sustainable use', 'present and future Victorians', 'conservation', 'equitable', 'orderly' and so on.

STRATEGIES

To work within the boundaries of the law, all sorts of legal gymnastics have occurred....and that is the skill and art of the legal teams.

Down-playing the value of existing social, economic and environmental assets

Ostracising the children of those who oppose the Project by the proponents

Undertaking only the bare minimum of monitoring outside of the Project's footprint – ie. water quality, air pollution, noise, traffic

Selecting favourable information to disseminate to the public – with the online response survey recently, all of the community groups that a $10 donation was made for each survey, MFG didn't get mentioned....pretty childish

Basing scientific evidence that rests on the theoretical formulation of an idealistic model. Once created, this ideal model is implemented in the real world. Kalbar and its consultants argue that as long as a concept can be formulated intellectually, it exists in the real world and, therefore, can be implemented.

But here is the reality....
It is mathematically impossible to maximize more than one variable at a time in an interlinked system. Modelling encounters serious problems in situations that cannot be fully comprehended rationally or logically. This happens when mathematical patterns cannot be formulated. Therefore, modelling is pointless because it requires ideal circumstances that have nothing to do with reality. This is the domain of chaos.

....this is risky business

Environmental damage done by the Project is irreversible and can't be hidden, therefore, Kalbar's project and the EES is biased and flawed

Despite assertions made by Kalbar and their consultants

OPERATIONS

I haven't seen anything regarding insurance and who would be underwriting such a project

Kalbar wishes to run down the local ecosystem by discounting / ignoring knowing its real worth – Kalbar is testing these theories, strategies and actions by conducting a large-scale experiment, entirely unplanned, with irreversible results and unknown outcome – with the main impact of Kalbar's experiment's repercussions left to fall on future unborn generations. Such Projects that are based on short-term estimations of material return that discount future long-term negative environmental impacts needs to be viewed not only as bad economics but also as morally inconsistent with our sense of community membership and stewardship.

1. The local remnant vegetation and ecosystems are ever-changing continuums of living and non-living things and processes—embedded in time.

Kalbar assumes it can design remnant vegetation and ecosystems as rigid monocultures—suspended from time.

2. Local remnant vegetation, ecosystems and deep soil horizons are part of complex landscapes whose patterns reflect crucial underlying structure and process.

Kalbar would design remnant vegetation, ecosystems and deep soil horizons which largely ignore these structures and processes and their imperatives for pattern.

3. Remnant vegetation, ecosystems and deep soil horizons are mixtures of living and non-living things and processes which are:

Self-organized.
Self-repairing.
Self-sustaining.
Dynamic yet relatively stable.

Kalbar would design remnant vegetation, ecosystems and deep soil horizons requiring frequently destructive, ultimately impossible subsidies of energy, fertilizer, pesticides, and even water.

4. Diversity is a fundamental property of remnant vegetation, ecosystems and deep soil horizons, and emerges for many "reasons" at many system levels—from chemical compounds through species and communities, to galaxies.

Kalbar would design remnant vegetation, ecosystems and deep soil horizons with simplistic uniformity for only one "reason": Efficient Commodity Production.

5. Remnant vegetation, ecosystems and deep soil horizons reflect various laws of impossibility—of physics and thermodynamics—not trends.

Kalbar would design remnant vegetation, ecosystems and deep soil horizons that vainly ignore these laws for short-term, and increasingly trivial cravings.

6. Remnant vegetation, ecosystems and deep soil horizons are co-evolving, and interrelated systems of things and processes meet many 'ends' and functions. Energy and materials which 'fuel' these processes do not merely pass through but remain as wastes with subsequent effects on processes. (One creatures waste is another's food)

Kalbar would design remnant vegetation, ecosystems and deep soil horizons imagining that they can give up huge portions of their matter and energy for only human ends, to be consumed elsewhere, largely ignoring the effects of waste on subsequent processes. (the helicopter analogy)

7. Remnant vegetation, ecosystems and deep soil horizons are inherently value-neutral, and we are largely ignorant of their functional and dynamic interrelations.

Kalbar would presume to judge which components and processes are good or bad—which is to say, which ones suit THEIR current human values and moral vision.

8. The direction of the remnant vegetation, ecosystems and deep soil horizons are largely unpredictable and their moral implications ambiguous—but it works! What is more, it so far still includes us.

Kalbar would design machine-like remnant vegetation, ecosystems and deep soil horizons, forever altering the possibilities of a robust creation.

Social

Many submissions have mentioned that Kalbar have no social licence....if they claim they have / do, then there should be no problem in answering the following questions: NOTE – I put you (the public and IAC), that the younger generation haven't been consulted.

Kalbar and those who seek economic gain despite probable, negative, social-environment outcomes—must be accountable for answering relevant questions concerning the potential consequences of their actions. Because such accountability is to be taken seriously, I posed the following questions before the IAC:

1. With long distance-transport of air pollutants and their ability to alter habitats, Kalbar's project is also altering the long-term habitat for people. Does Kalbar have the people's permission—adults and children—to add pollution to the air that alters the health of the plant communities that constitute the quality of the habitat in which wildlife and people must live, considering that they would be adding to the potential irreversibility of the negative, cumulative effects that present and future generations must endure? Is a good quality of habitat in which to live the inherent birthright of every human being—or is it not?

2. Does Kalbar have the people's permission—adults and children—to add pollution to the air everyone must breathe, considering they would be irreversibly adding to the very long-term

negative, cumulative effects that all plants and animals, including humans, must live with? After all, clean air is a global commons and therefore everyone's birthright.

3. Does Kalbar have the people's permission—adults and children—to add pollution to the air that can exacerbate global warming and alter the local pattern of precipitation, considering that they would be adding to the negative, cumulative effects that all generations must live with? After all, clean air, which protects Nature's regime of local precipitation, is part of the commons and so everyone's birthright.

4. Does Kalbar have the people's permission—adults and children—to add pollution to the air, which then pollutes the soil that grows their food and affects the water everyone must drink (water needed for life itself, water for which there is no substitute) and thereby add to the negative, cumulative effects that all generations must live with? As with air, healthy soil and clean water are part of the global commons through successive generations of children and so everyone's birthright.

5. Does Kalbar have the people's permission—adults and children—to add pollution to the Rivers, RAMSAR Listed Gippsland Lakes or Bass Straight, considering that they would be irreversibly adding to the negative, cumulative effects that all generations must progressively live with because our oceans, of which it is a part, have no outlet and so concentrate not only the amount of toxic chemicals but also their increasing toxicity? I ask this because both the Gippsland Lakes and the ocean are part of the marine-commons and their biophysical health is everyone's birthright.

Ignoring questions....lack of transparency in all forms of conduct....not telling the full story.... social ostricisation of those with opposing views....this is childish behaviour.... Kalbar is in a societal state of arrested adolescence. Everyone knows that children make more messes than they clean up. Kalbar's present societal concepts of organization, governance and business, will make more mess than they can clean up.

The only part of toxic chemical products that is tested for toxicity is the active ingredient/constituent that, by themselves, usually form a tiny portion of the solution. This means the larger, untested portion of most toxic chemical products, containing other, so-called 'inert' chemicals can be more toxic than the active ingredients.

Water

"Whiskey is for drinking and water is for fighting over" – Mark Twain

The combination of pollutants – Kalbar's Project outputs, wastes, fugitive emissions, along with other non-point-source pollution coming from intensive agriculture, including intensive forestry, which laces the soil with toxic pesticides, herbicides, and synthetic fertilizers, not only kills fish and other aquatic life but also damages EPBC Listed saltmarshes in our coastal areas.

In every rainfall event, this 'toxic cocktail' in tons of soil supplied from the mine footprint—and its myriad synthetic chemicals—will erode with each inch of rain. As the soil moves, it carries the

poisonous compounds into ditches, streams and aquifers in the catchment. In addition, the pollutants leach through the soil into the groundwater, and from there into the same ditches, streams and aquifers in the catchment.

Once in the waterways, the chemicals can cause bone deformities aquatic and amphibious fauna, damage their reproductive systems, destroy their food supply, and block their adaptation to the differing water qualities downstream to the ocean. These contaminants can also prevent migrating adult aquatic fauna (such as eels) from finding their home waters in which to spawn.

There has been no studies or research done into how these probabilities affect the local water and its chemistry.

....the Project is a massive assault on the regional water cycle and the pollution of these water sources....once water is polluted, particularly groundwater, it is difficult, if not impossible to clean up.

....the amount and quality of water for human use is largely the result of climate, topography, and the ecological integrity of the water catchments. The availability of clean water throughout the year determines the fundamental quality of life of a community....this is being interfered with from the headwaters of the Mitchell Catchment (clear-fell logging) (also severely bushfire affected)– all the way to the ocean. Some of these impacts have occurred since the Kalbar's studies have been submitted and aren't factored into their model

In addition....
The local farming lobby secured $10m from the government to be match dollar for dollar for off-stream water infrastructure do draw extra winter-flows from the Mitchell river; that equates to $20m available for dam building. From experience a quality dam may cost app. $3000 per megalitre – enough to extract another 6500-7000 megalitres from the system, or 6-7 giga litres....that on top of Kalbar's requirements.... this hasn't been factored in by Kalbar in relation to above and below ground water impacts, and very concerning that the administrative agencies make no mention of this.

Vegetation

Fragile ecosystems can go awry in more ways and can break down more suddenly, with less warning, than is likely in robust ecosystems, because fragile systems have a larger number of components with narrow tolerances than do robust ones. As such, the failure of any component can disrupt the system. Therefore, when an ecosystem is altered for human benefit, it is made more fragile, which means that it will require more planning and maintenance to approach the stability of the original system.

In addition, while incremental changes in an ecosystem may seem insignificant to us humans and their effects for a time to be invisible, ecosystems operate on thresholds with unknown margins of safety. But once a threshold is crossed, it is crossed. There is no going back to the original condition. It is thus necessary to understand something about the relative fragility of simplified ecosystems as opposed to the robustness of complex ones.

It is becoming more apparent that Kalbar's *modus operande* of discounting ecological assets to incrementally liquidate these assets. Kalbar's low-tier consultants are complicit in this behaviour, structuring their advice to 'get-the-project-through'. This is a common practice among developers. This bastardisation of the environment needs to be nipped in the bud. The outcomes are a degraded environment with no accountability....with the cost burden of repair unfairly placed on future generations.

Other points of discussion will be ‘piggybacked’ from my previous submissions