

My background relevant to wishing to speak to you today is:

- I hold a PhD in Chemical Engineering, specialising in water and wastewater treatment
- I worked for a large Australian corporate for 30 years, culminating as Global Director – Environment.
- I was Chair of the Beverage Industry Environment Council for several years and spent a year as Chair of the National Packaging Covenant, a joint Federal/State/Industry body
- I spent several years on the Boards of EcoRecycle and of Sustainability Victoria
- After retirement to East Gippsland I joined the Sustainability Advisory Group to East Gippsland Shire Council, and currently hold leadership roles in our local Landcare Group, and in the East Gippsland Landcare Network.

As a resident of East Gippsland with a long-term understanding of and participation in EIS's in several jurisdictions around the world, I would like to make an observation about the process overall, and I will close with some technical observations. I will note at the outset that enough people's lives have been damaged by this proposal already that I was not prepared to spend months delving through the endless initial and supplementary documents that the applicant has thrown at the Community, so my comments are not based on detailed analysis and I don't think they need to be. Everything I am about to say has been said many times to you already by people much more familiar with the detail of the proposal than I.

When I first became aware of this mine and the Minefree Glenaladale group I immediately thought "NIMBY". But as I learnt more about what was proposed and where it is proposed to be, I became more and more incredulous and disgusted that our Government would have allowed it to proceed to even this stage.

Firstly, while I respect that each of you panel members have personally committed yourselves to fairly hearing a vast amount of technical information in relation to this proposed mine and are giving up a portion of your lives to do so, I submit that the entire process is inappropriate and should never have proceeded. A resourced corporate is being permitted to impose a huge financial and emotional burden on a small community which is in no way equipped to defend itself. My view of Government has been that it is Government's role to act for the ill-equipped and disadvantaged in the community and defend those parties against exploitation, and that is simply not happening here. The Government and government authorities have largely abrogated their responsibilities and left it to the community to try to defend itself and it must by now be obvious to you that it is totally under-resourced in so many ways to be able to do so.

It is also clear that if this was a marginal Labor seat, or one not held by the Mining Party at both State and Federal level, this process may well not be proceeding, just as it would not be if the ore body was under a Labor seat on Melbourne's outskirts, or under Camberwell or Brighton. But it is under the homes and livelihoods of a group of uninfluential people hence here we are today.

When I was studying I was taught that rule #1 of environmental management, and in fact in most elements of human life, is to invoke the precautionary principle. If the precautionary principle had been applied in this instance there would have been no need for an EES

process. Any open cut mine immediately upwind of a major area of Victoria's vegetable growing area, directly above the Mitchell River and directly above the Ramsar wetlands of the Gippsland Lakes would never have been considered as a viable proposition. There could be no more inappropriate place in Victoria to site a huge open cut mine bringing toxic metals to the surface than the Fingerboard's site.

In regard to a social licence I would submit that Kalbar has no reason to seriously try to attain one, and it hasn't. It is selling its product to overseas interests who have zero stake in this environment or this community. Regardless of the view of the community, Kalbar in a practical sense can continue with impunity if permitted by the government, as it has to date. It has no large shareholding by the general public who might bring pressure to bear, no corporate reputation to protect, and is controlled by a small group of persons with direct personal financial interest in the outcome regardless of the potential harm they do to this community and this environment.

Assertions by Kalbar's management about responsible stewardship are meaningless, as has been evidenced worldwide by the mining industry. The only thing that causes mining companies to act responsibly is strong regulation and punitive outcomes for breaches, and Australian governments and particularly the Victorian Government have demonstrated that they are unable or unwilling to hold mining companies accountable. The panel members are no doubt aware of many such incidences in Victoria in the past and several have been raised in the course of these hearings. The ineptitude or impotence of the Victorian EPA has recently been demonstrated with regard to their management of toxic waste sites and the new regulations are some recognition of past inadequacies. However, there is no certainty that the "new" EPA will be any more effective and no reason yet why the Victorian community should have any faith in its competence.

It is very clear that this broader area community is totally opposed to this mine proceeding, the only proponents that I am aware of who have either made submissions, spoken to this panel, placed articles in the newspapers or in any other way spoken in favour of the mine are persons with a direct financial interest in the mine proceeding and this is a very small number.

In relation to technical matters, I would like to briefly discuss water, dust and synthetic chemicals.

In relation to water, this region of Gippsland is frequently in crippling drought and the Gippsland Lakes have had water successively diverted throughout the history of European occupation of Victoria to the point where the entire Lakes system is becoming more saline due to reduced freshwater inflows and the entire environment is in transition. The proposal for this mine would divert even more fresh water from flowing into the Gippsland Lakes, and it also will add some – I can't comment on how much as I have not reviewed the technical papers in detail – but clearly some, additional contaminants into the Ramsar listed wetlands.

Additionally, and I find this the most galling, instead of using this precious water for purposes which sustain life (of anything), it will partly be used to spray over large areas of exposed soil for dust suppression purposes and thus totally wasted by evaporation. Anyone aware of the uncertainties of future water security given the potential impacts of climate

change should be appalled by this prospect. A drier future climate is predicted for East Gippsland and it is not just East Gippsland that impacts the water available to the Ramsar wetlands, the catchment extends as far as the Thomson Dam and water use by Melbourne, by the Latrobe Valley industry and by irrigators throughout greater Gippsland affect the rivers and the net flow into the Lakes. Climate change across all of eastern Victoria will impact the future of the Lakes. Using water in the Mitchell River or the aquifers surrounding it for any other purpose than food production or environmental purposes is stealing from humanity's future.

This brings me to dust. Common sense indicates that there is no such thing as a "dust free open cut mine", it is an oxymoron. So regardless of the intent of the operating company, regardless of the mitigation controls put in place, over a 20 year period with assured days of extreme weather variation it is impossible to ensure that tonnes of fine dust exposed by open cut mining will not be deposited on the land directly downwind, the vegetable fields of the Lindenow Flats. The potential composition of such dusts has been raised by others so I will not enter into toxicity issues, simply the fact that dust is an inevitable consequence of any open cut mine, I would strongly argue it cannot be mitigated in the long term, by anyone, regardless of their intent. It is a nonsense for the Victorian Government to protect the foodbowl from mining exploration or exploitation and yet allow the prospect of this mine to proceed immediately upwind, immediately upstream, of that foodbowl.

The third issue I wish to raise is, to me, the incomprehensible intent to put something of the order of 3 tonnes a day, over 1000 tonnes per year, over 10,000 tonnes per decade, of a synthetic organic chemical into the porous soils above the Mitchell River and Ramsar wetlands. In many other jurisdictions in the world this would be a criminal offence, uncontrolled release of synthetic organic chemicals into the subsoil, groundwater, rivers and lakes. No amount of testing, trials or other investigation can determine the likely composition and rate of migration of this material over a 10, 50 or 100 year period. It would be creating a potential timebomb for the future.

East Gippsland Water uses similar chemicals in clarifying water for domestic supply, all of its sludges are sent to secure clay lined landfill as any responsible entity would do.

Thank you for the time you have allowed for me to speak, I hope you don't feel that I have wasted your time.

Dr Russell Peel (Submission 24)

Reference:

Kalbar, 2021. Technical Note 014 (Tabled Document 194): "The flocculant will be used at a dosing rate of approximately 370 g/tonne of dry solids reporting to the centrifuge. This translates to a nominal (average or usual) dose rate of around 118 kg of flocculant every hour as the centrifuge units nominally receive around 321 tph of solids."