

Kirsty Campbell
White Case Lawyers
Level 32, 525 Collins Street
Melbourne VIC 3001

16th June 2021

Our reference: 7308

Dear Kirsty,

**Re: Additional information regarding the avoidance of native vegetation as part of the proposed
Fingerboards Mineral Sands Project**

The following information follows a recent meeting between Kalbar, White and Case, representatives from the Forest Fire and Regions Group, Department of Environment, Land, Water and Planning (DELWP) and myself relating specifically to the avoidance of native vegetation as part of the proposed Fingerboard Mineral Sands Project. It responds, in part, to the written submission from DELWP dated the 19 May 2021 for the proposed Fingerboard Mineral Sands Project (Tabled Document 377). It is understood that further detailed information will be provided by Kalbar that responds to the outstanding matters that DELWP have raised in their written submission. Information regarding the nature of the mining operation where it is not possible to retain vegetation in sections of the project area (i.e. the gullies) has also been provided.

I have specifically addressed two of the key points raised in DELWP's submission where they indicate that Kalbar:

'needs to demonstrate clear changes to the project and the assessment have been made that:

- *avoid adverse impacts on native vegetation with the highest biodiversity values. This includes mapped habitat for threatened species, endangered and vulnerable EVCs and large trees*
- *reduce the total area of native vegetation proposed for removal'*

Avoidance of native vegetation

Information regarding the avoidance of native vegetation as part of the project is outlined in Section 8 of the detailed ecological investigations report (Ecology and Heritage Partners 2020) (EES, Appendix A005) and this is summarised below.

As part of the preliminary design and assessment of the project over several years prior to exhibition of the EES, measures to avoid native vegetation were undertaken, focussing on the realignment of proposed haul roads (i.e. reduced road length and width), and power and water infrastructure.

For example, the haulage road alignment that is proposed to connect to the preferred rail siding location at Fernbank East, was altered to run through private property rather than along the Chettles Road road reserve that supports high quality vegetation. Similarly, where overhead powerlines run through the high-quality vegetation, the power cables will be located underground, adjacent to the road (an area that has already been cleared) to avoid the need for large clearance of trees and tree limbs to the powerline conductors (Plate 1). Kalbar provided detailed designs of the haulage road and Fernbank siding post the exhibition of the EES and prior to the enquiry (i.e. Tabled Documents 55, 56, 57 and 59).

While the proposed alignment avoids direct impacts to vegetation on Chettles Road, it is acknowledged there will be some impacts to native vegetation, particularly at the location depicted on the Inset to Plate 1. Part of this area supports Lowland Forest Ecological Vegetation Class. As Kalbar explained during our meeting, it considered the possibility of realigning the haul road so that it turned south toward the Fernbank rail siding further west than its current location, to reduce impacts to Lowland Forest. However, it is unable to do this because the landowner has not agreed to the haul road running through paddocks on his property. Its focus has therefore been on developing an alignment that avoids impacts to native vegetation to the greatest degree practicable (see Plate 1 and 2).

The water supply pipeline and Mitchell River pump station have no impact on native vegetation (Ecology and Heritage Partners 2020). Likewise, with the exception of a small area of highly modified native vegetation (i.e. semi mature Gippsland Red-gums and a degraded midstorey and understorey with few native species) the Fernbank rail siding itself has no impacts on native vegetation, and the rail connection to the siding has been designed to minimise impacts to native vegetation (Plate 3).

Plate 1. Key areas where the overhead powerlines are proposed to be located underground to avoid native vegetation.

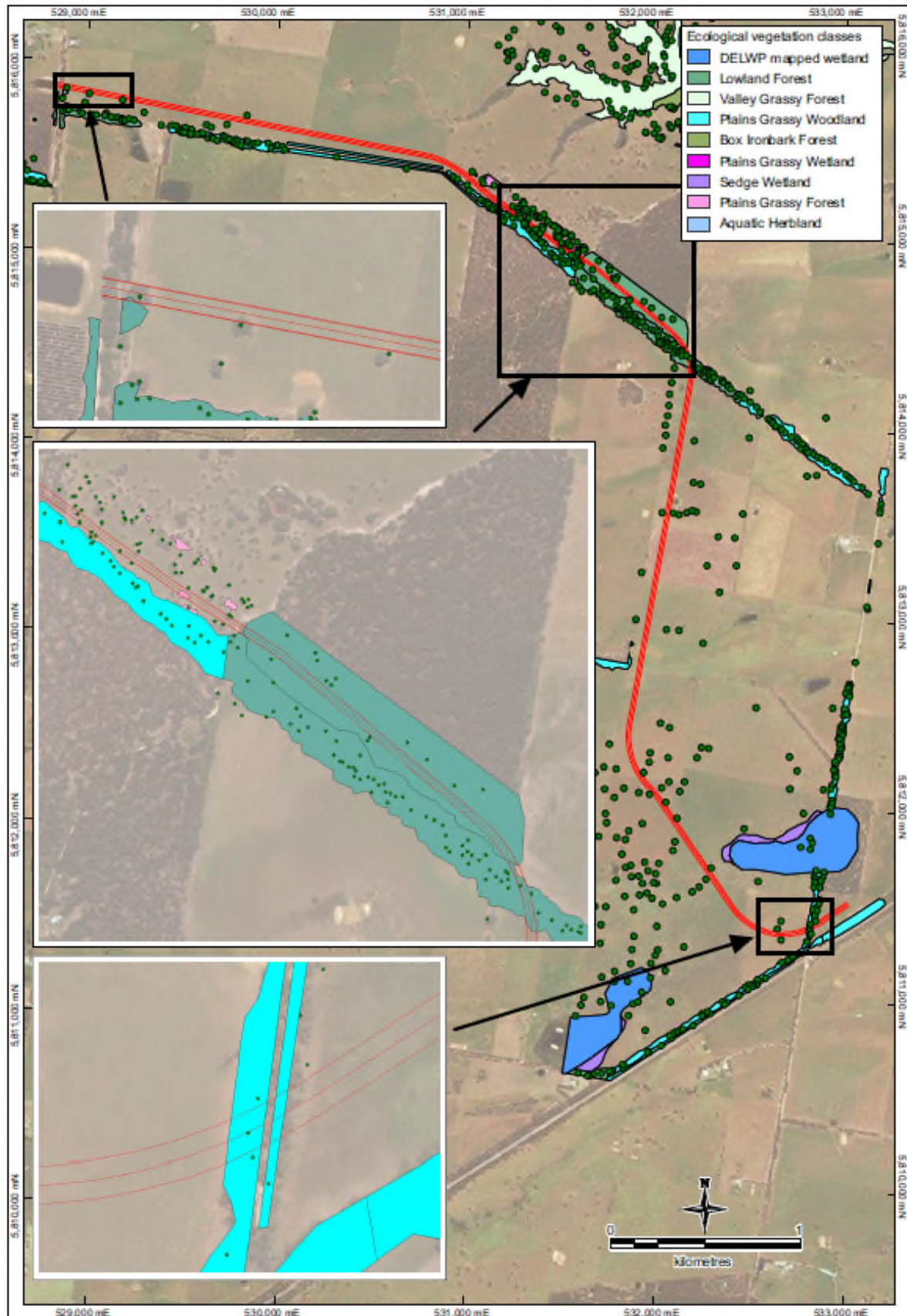
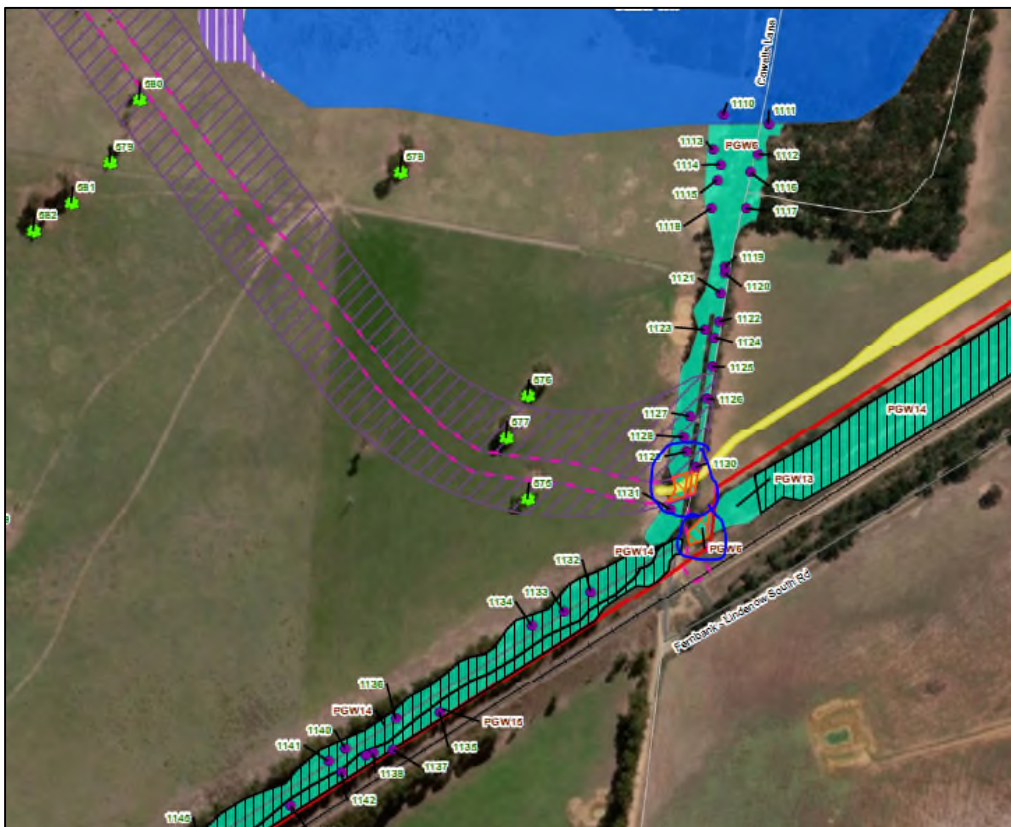


Plate 2. Areas of proposed native vegetation removal along the proposed haul road.



Plate 3. Areas of proposed native vegetation removal along Cowells Lane and at the Fernbank siding location.



I understand that Kalbar have identified that part of the Fernbank Glenaladale Road relocation can be avoided, and the road is proposed to be connected to the Bairnsdale Dargo Road further south. I also understand that whilst the ore contained under that section is of very good grade, it has been determined that the ore is comparatively shallower and close to the surface. The ecological values in this area are summaries in the table below (Table 1).

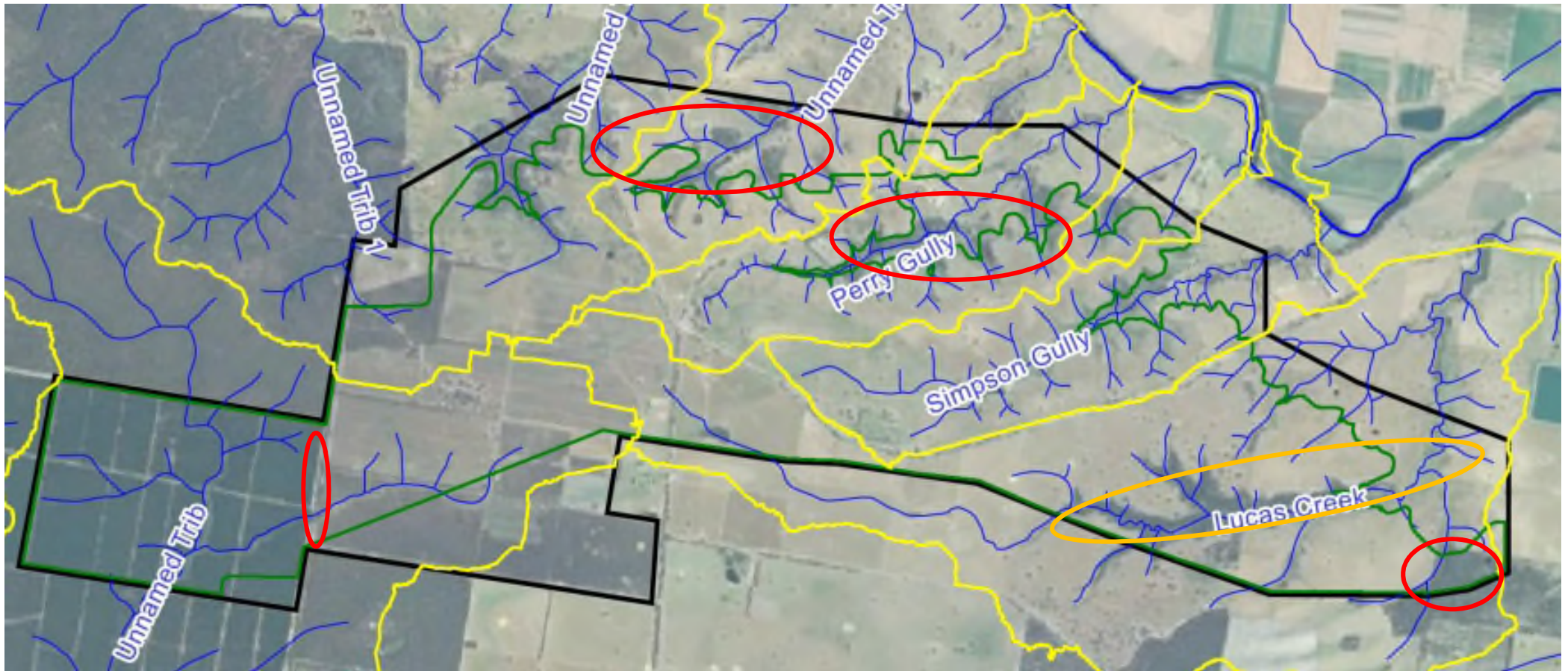
Table 1. Ecological values within Fernbank Glenaladale Road proposed to be avoided.

Site Location	EVCs present	Bioregional Conservation Status - Endangered EVC(s) present	Total area of native vegetation (ha)	Highest habitat score (overall vegetation quality)	EPBC Act-listed community	Number of Large Trees in patches and scattered Large Trees (in brackets)	Confirmed presence of significant species
Fernbank Glenaladale Road	Plains Grassy Forest	No	1.28	0.48	No	12 (1)	No

Kalbar are exploring several additional options to further avoid the removal of native vegetation (including patches and scattered remnant trees), and these include the Perry Gully (including patches of high-quality vegetation totaling an area of 23.56 hectares), an area of native vegetation in the south eastern corner of the project area (i.e. approximately 11.42 hectares), vegetation along Limpyers Road (approximately one hectare and 25 Large Trees), including several plants of the State significant Woolly-headed Pomaderris *Pomaderris eriocephala*, and vegetation in the northern part of the proposed mine area. These areas are shown circled in red in Plate 3 below. There are also opportunities to avoid scattered native trees on the edge of the proposed mine footprint and the extent of any further avoidance will be determined during micro-siting measures.

However, based on my discussion with Kalbar, I understand that it is not possible to avoid native vegetation within Lucas Gully (see orange circled area in Plate 3 below) as this would significantly impact the ability for Kalbar to optimise the mining across the entire area within the project area south of Bairnsdale – Glenaladale Road (i.e. to the north and south of Lucas Gully).

Plate 3. Additional areas supporting native vegetation that are under investigation to be avoided (areas circled in red).





Should you have any questions please give me a call.

Kind regards,

A handwritten signature in black ink that reads "Aaron Organ".

Aaron Organ

Director / Principal Ecologist

Ecology and Heritage Partners Pty Ltd

References

Ecology and Heritage Partners 2020. Detailed Ecological Investigations for the Proposed Fingerboards Mineral Sands Project, Glenaladale, Victoria. Unpublished report prepared for Kalbar Operations Pty Ltd by Ecology and Heritage Partners Pty Ltd.

ADELAIDE 22 Greenhill Rd
Wayville SA 5034

BRISBANE Lvl 22 127 Creek St
Brisbane Qld 4000

CANBERRA PO Box 6067
O'Connor ACT 2602

GEELONG 230 Latrobe Tce
Geelong West Vic 3218

MELBOURNE 292 Mt Alexander Rd
Ascot Vale Vic 3032

SYDNEY Lvl 5 616 Harris St
Ultimo NSW 2007