

Lyn Johnston IAC Panel Enquiry Submission #268

Thank you for giving me the opportunity to speak to this panel enquiry.

I would like to welcome you to East Gippsland and hope you have had the opportunity to experience the region and see why we are very privileged to live in this part of Victoria and want to keep it that way for everyone to enjoy.

Being an impacted landowner, resident, community member and part of a farming family who have nurtured this land for four generations and who's future generations intend to continue this tradition. We do not intend to leave a long-term legacy for future generations because we did not question the impacts this mine could have on our environment and the Communities future.

Economics/viability

The Proponent tells us the mined Minerals will make \$27-/tonne , cost \$13.50 to extract and process leaving \$13.50/per tonne less the additional cost of the centrifuges, it would appear not economically viable. Compared to the present-day outstanding beef prices of 944.61c/kg or \$944 per tonne , current prices for sheep and lambs yielding \$810- per tonne , wool prices likewise currently attaining creditable returns. These are products that can be grown continuously, are renewable, sustainable, environmental acceptable and feed our Nation.

EES assessments were produced from irrelevant and outdated data including Australian Bureau Statistics, do not give actual production values for the horticulture and agricultural commodities for the area.

Premature closure has not been factored into the assessment. 75% of mine closures were premature or unplanned, mines are left in care and maintenance because of issues such as high costs of operations, fall in commodity prices, environmental causes, safety reasons and regulatory requirements. What would the inherent financial and social legacy be for the local community, local government, region, and state if this mine were in this position ?

In supplementary expert witness statement of John Sweeney sited"*sustained periods of reduced water supply might threaten the commercial viability of the mine and potentially leave the mine unrehabilitated*

The project is not of regional nor state significance, only of significance to the proponent's shareholders.

About 800ha of the project area does not have landowner agreements in place.

Currently there are no freight trains service beyond Morwell – for that to occur future track and infrastructure upgrades would be required through to Bairnsdale , freight train timetables would have to work in with existing passenger trains. The current local train service is unreliable, buses replace trains services for commuters regularly, what is the alternative if the mineral sands train is unable to operate – it will use the same problematic rail line tracks.

Are these minerals **really** in short supply, with other mineral sands mines in the West of the state coming into production.

So many uncertainties – the mines starting point and layout of mine not finalised, water source and volumes required not yet secured, landowner access and consent not achieved, impacts and mitigations not clearly understood.

Centrifuge's efficiency, throughput, vibration intolerance, overheating, infrastructure costing, availability, handling capabilities, impacts on groundwater, Groundwater Dependant Ecosystems and receiving

environments from the deposition of discarded flocculants, this processing component is still in the development stage. Scaled, centrifuge trials are yet to be undertaken.

Is the price paid for vegetation offsets comparable to existing vegetation value that is to be removed? Offsets need to be confirmed, secured, and locked in for perpetuity.

Kalbars continually changing workforce and personnel has seen 4 CEOs, multiple faceless employees, who solicit their previous experience at other mine projects and sundry occupational appointments but most of these are of small durations of time.... 6mths, even up to 2 years, it gives the Community no confidence in their ability, commitment, and ethics.

They tout 200 jobs but can this be guaranteed. Already Kalbar must have 30 employees that would make up 15% of the 200, has this increase in employment been felt in the Community already?

Assessment of project area

Dr Loch assessed the properties during a prolonged drought and following a major bush fire, his findings would not be consistent with an average seasonal assessment of the area. Analysed project area soil samples assessed in the EES were from the proponent's own land, land that has remained idle, and unproductive for many years.

Paul Gibson-Roy stated the soil was not productive because of its sandy composition, it would not retain moisture, and was highly degraded. The existing blue gum plantation in the vicinity of the proposed native vegetation rehabilitation plot, prior to being planted with a monoculture gum plantation was a productive farm, to establish that plantation it was sprayed twice with a knockdown herbicide, deep ripped with a bulldozer, and further sprayed several times following the tree planting.

There has been insufficient assessment of baseline conditions to inform an understanding of the potential or likely impacts, or the risk of any impacts of the proposed mine. The data and analysis to compile the EES documents lack clarity and completeness, and the proposal should not be considered.

Future use of this land

Land is rated on best use, farmers and landowners have paid yearly rates for decades – the mine is exempt from paying rates under the Local Government Act 1989 Section 154 (2e) – *“land which is used exclusively for mining”* is not rateable land. Therefore, less revenue raised for local and state governments to pay for the services, facilities, and infrastructure the Community relies on.

This land also has the potential to be subdivided up into lifestyle properties – ours especially with established road access in place, panoramic views, commutable distances to both regional towns of Sale and Bairnsdale. This property could be subdivided into multiple small acre blocks, similar small holdings in the vicinity of this project have rated CIV of \$22,000-\$27,000k per hectare, a subdivision such as this would address the local Council requirements for release of land for residential development. The mine development would not address this deficit in land availability in the short term.

This area's visual landscape with the rolling hills in the distance, panoramic views across the valley, clear open skies, quiet ambience, rural lifestyle, commutable distances to two major towns, school bus routes and clean fresh air make it an ideal place to live, work and raise a family.

Recent local properties listed for sale where unable to even be presented with any offers by potential buyers – the proposed mine is already impacting the property market.

The mine will see the landscape look like a scene from Hiroshima devoid of vegetation, barren, sterile, toxic, and unrecognisable. This proposed mine will destroy our home, our income, our lifestyle, our community, and our inheritance.

Planning requirements

The Fingerboard's project as assessed in the EES is only the first "stage" (35%) of a larger project (Glenaladale 65% area), if Kalbar intends to extend the Project area, they will not have to go through a further approvals process.

The Planning Scheme amendment inserts a new incorporated document into the East Gippsland Planning Scheme and introduces a Specific Control Overlay, requiring no provision to prohibit, restrict or regulate, the use and development of the infrastructure area for the purposes of the mine, and exempting the project from the need of a planning permit. The Special Control Overlay only benefits the proponent, it is very flexible allowing facilitation of whatever they require with no regard to the landowner.

Incorporated document will allow a subdivision of less than 40ha (in contradiction to local Planning regulations) for severing off land the proponent does not require.

The proposal would alter Planning overlays and areas identified of significance, which are required to be protected in the State and Local Planning Scheme including vegetation, impacts on tourism, environmental landscape values and biodiversity. These same planning schemes also encourage and identify agriculture as an integral part of East Gippsland.

The Planning Scheme Amendment exposes the local community to a vastly higher risk of injury and possibly death through contamination of the air, risks from the increased traffic, including heavy vehicles on the road, potential for dam failures, both freshwater and mine catchment water dams, risk of tailings storage facility failure, loss of productivity from agricultural land, and impacts on commuting. public

The impacts on Residence R16

Five freight train cycles per week. Four reach stackers operating at the railway siding, loading trains, unloading, trains arriving, departing we can already hear the train from our house.

Year 1 during Construction Day and evening noise levels of 28dB, Night 22dB. Year 5 – 33dB. Year 8 – 35dB. Year 12 - 30dB. This is not acceptable, this is a rural setting, we are accustomed to natural noises not the constant droning from machinery.

Pumping station – 4 booster pumps (3 operating 1 on standby i.e., 4 x 86dB) 1 Transformer 1500 kVa 70dB.

24-hour average ground-level concentrations of PM10 airborne particulate Year 5 59.2 ug/m³(microserviets per cubic metre), Year 12 58.2ug/m³. The EES identified household water tanks will collect 6.1kg of dust sediment each year per 10,000 litres, the volume of sediment will increase in tanks exponentially requiring them to be cleaned out regularly which is an onerous task requiring reinstating the existing water supply. Every human has the right to clean fresh, air and water.

Visual field Viewpoint 14 Receptor 16 Poststimulation are incorrect, the visual field is over 180degrees from our front gate because they are mining past our property in both directions. See images.

Discrepancy in vehicle counts along Bairnsdale Dargo Road, are not representative of correct numbers because of COVID travel restrictions, and during peak holiday periods. Increased traffic, including heavy vehicles because of the mine will see our personal safety, destination travel time and amenity compromised.

Impacts and risks.

To remove over 250ha of vegetation, that is 20% of Victoria's permissible yearly clearing requirements is unacceptable by Regional and State standards.

Impacts on the Communities wellbeing through the projects poorly understood social impacts, grave environmental issues, and the proponent's inability to engage with the Community , indicate there is no social licence for this mine.

Under identification of the number of residences within 3km of the mine area , on an average these 82 individual residences would have a conservative estimated habitation of 249 people. Can the proponent guarantee there will be no ongoing accumulative, latent, health and environment concerns on these residents? This proposal has already caused social disruption, depression, anger, violence, and anxiety in our community. Save our community Stop this mine.

Proponents brief scoping requirements given to their experts have missed a lot of detail in the analysis of potential shortfalls, problems, and cumulative impacts of this proposal.

If there was unplanned closure, or down scaling of operations will the mine site be managed into perpetuity and not inflict impacts on adjoining landowners and residents. .

Will the Railway infrastructure impede the natural surface water flow to Sapling Morass ensuring this wetland maintains its ecological value?

Local traditional owners are vehemently opposed to the proposal, this land has strong spiritual and cultural significance and cannot be replaced.

At the IAC's request, modelling of a potential dam failure from the 2.2gl freshwater storage was modelled. It is not acceptable that catastrophic flooding impact on the Fernbank-Glenaladale Road and Bairnsdale-Dargo Road can potentially occur within 20 minutes. With such minimal warning and insurmountable dire consequence for members of the public using the roads, surrounding landowners, their infrastructure, and livestock downstream of the dam. It seems the proponent only considers themselves and their operation with no regard to others. We cannot be confident the dams will be adequately monitored, assessed and a for- warning of an unfolding disaster occurring.

Risks have been downplayed to minor or moderate in an ideal world that would be wonderful, but the reality is the parameters of assessments and impacts have been inadequately evaluated. Not considering seasonal conditions, extreme weather events, accumulative impacts, and local conditions.

The COVID-19 pandemic has shown us more than every – Australian should be self-sufficient, we must protect our food growing region. Why should productive farmland be destroyed for a commodity that is not in short supply.

Landform reconstruction with the filling of Perry Gully, the alteration of topography slope and catchment form could have serious ramifications on the gully's rivers, flood plain, horticulture area and downstream landscape. The proponent has not experienced a significant rainfall event yet, their statement of world's best practice, professionally designed and engineered should not see other beneficial users in this valley suffer losses environmentally, financially, or through inconvenience because of these change land profiles.

Recent events

Lessons to learn from recent rain events. We dodged a bullet with the recent "East Coast Low weather event "as the anticipated volume of rain occurred further to the west of the state. But the 100ml of rain that we did received caused the Princes Highway to close several times between Stratford and the Lindenow South turn off, necessitated the traffic to divert to the Bairnsdale-Dargo Road through the Fingerboards intersection out to Fernbank to re-join the highway. This 100ml of rain caused flooding of Moulin Creek closing the Fernbank-Glenaladale Road, the temporary bridge structure was displaced by flood waters requiring traffic heading towards and from Dargo direction to be diverted down Beverley's Road and Friday Creek Road for 2 weeks.

Heavy rainfall in the Yallourn district caused local rivers and creeks to flood and required the power station to evacuate the mine and reduce power generation output because of the large cracks developing in the Morwell River diversion bank. A similar situation occurred in 2012.

Impacts of our farm.

Mr Morris showed emotional pride when he spoke of his Son, who had achieved distinction during his time at University. You can only imagine the immense pride we have in farming this land selected by our ancestors and who worked and nurtured this farm for 4 generations working shoulder to shoulder through the good times and the hard times..... and there has been plenty of them.

Our fingerboards property is 183ha in area. 65ha will be mined to 45m in depth in an open cut style mine. 27ha will be used for 3 road diversions and a haul road, the remaining 81ha required for mine infrastructure including catchment water dams. We lease an adjoining 117ha from Geoff's sister, in all we farm 385ha. Now with the Mining Licence application, it is engulfing more of our property.

Our family has farmed this land for four generations producing vegetables and animals that have fed our nation since 1878.

In Geoff and my time as custodians of this property we have been impacted by significant droughts, a major bush fire, commodity downturns and at least 6 1 in 100-year major floods, but we have managed to maintain, repair, reinstate, progress, and develop this farm to ensure and become resilient to whatever nature throws at it.

Radionuclides transfer to livestock via ingestion of contaminated feed, transferring to tissue and milk products used for human consumption, an assessment of exposure pathways should be undertaken and incorporated into the Radiation assessment requiring approval from DHHS prior to issuing a management licence.

This mine will operate 24-hours a day, that is 24 hours of dust, noise, traffic, light, and vibration not only for the humans and livestock but also wildlife.

Dust dispersal modelling is not measurable in less than 1-hour increments – impacts on animals, residences including the long-term accumulative effect have not been assessed. The identified 6.1kg of dust deposition on household roofs per annum, is also the amount we can expect to deposit on the animals' pastures.

Dust suppression is primarily required during day light hours only, with a requirement of 2 trucks applying 60kl/hr, the night-time hours are not covered, and the daylight hours mitigation is grossly inadequately.

A common statement from the experts is the soil was unproductive – marginal because of its sandy composition, it has poor moisture retaining ability. The land is as good as it is managed – while some landowners on the project site including the proponent choose to do little with their land. You can build humus, biomass, organic matter, add soil amendments and nurture the soil to produce productive pastures. In comparison to our properties improved pastures created by building up the soil with humas, organic matter, fertilisers and managing the paddocks to ensure long-term viability, we have a stocking rate of 1 beast to 1.95 acres. (1 animal to .75ha)

The job flow on effect from our property alone supports over 84 service industries in the Region.

In my submission I put forward that the road diversions should go to the northern side across the mined-out section within the project area, which will be covered until the MRSDAct no necessitating the need for a Planning scheme amendment, specific control area and subdivision. The Haul Road likewise could be constructed on the unused road reserve to the East of the project running from the bore field to the

Project area. This would be safer, eliminate sight distances for road users, and not require construction of two roundabouts.

With the yet to be confirmed road diversions, haul road, underpass and infrastructure corridor through our property there will be a need to have multiple gateways opening onto reconstructed roads to facilitate thoroughfare of our machinery, livestock, and farm workers from one paddock to another. As the Department of Transport contended this is not a preferred option and is a high safety concern to road users and a public liability.

Our animals are produced under strict Biosecurity requirements, we guarantee our animals are produced under the rules, standards, obligations, and requirements conforming to the National Vendor accredited Livestock Production Assurance program which underpins Australia's meat and livestock food safety reputation. We can be subject to random audits ensuring our animals conform to the standards of animal health certification, we are required to document the use of veterinary drugs, ensure our animals feed is not contaminated, nor contain chemical residues, adherence to chemical withholding periods, use of antibiotics, no growth promotants, free of contaminants such as lead or cadmium, chemical spray drift, etc. To be able to identify, certify and sell our animals as "Grass fed" affords a premier product price, marking them sort after by the prime restaurant trade and overseas markets.

With the anticipated dust deposition, health impacts including infertility of our livestock can be expected. If we were unable to declare our animals meet these national standards our produce would become increasingly harder to sell.

An example of this is the identification of residues found in cotton trash, feed to livestock in Queensland some years ago, this effected overseas markets and had a national impact on saleyard prices instantly.

We do move our stock from paddock to paddock utilising the roads. This is for convenience because we have several paddocks which are across the road from one and other. Cattle need to be moved slowly because of their young calves that are to walk the journey with them, we aim to keep the cattle in good health and condition so slowly walking, minimising stress, noise and controlled interaction with other road users is preferred. In the case of moving sheep along roads it needs to be slow and controlled ensuring the ewe mothers are not separated from the lambs because they will not always mother back up again once the journey is complete.

The benefits of contiguous properties are paramount, for assessment of rating valuations, movement of animals between properties, machinery, accessibility, if you were unable to drive livestock on roads, you would need to transport livestock and machinery by trucks.

We have nurtured our land not annihilated it. If we were to get our land back in say some 20-30 years' time, as the proponent has told our Son. If that land were **unable** to achieve the production it currently does, would the mining company be held liable, would they be accountable to achieve the expected production of this land until it was sustainable, economically viable and in full production. Would they be accountable for the potential long-term impacts from unstable land formations, altered surface water flows through gullies and streams lessening the volume of water available for our livestock, and the impacts of the relocated roads across our properties?

The 500,000 tonne stockpiles of HMC will be exposed to the weather elements is not showed as being covered with tarpaulins etc. this is a potential hazard to humans and animals.

Removal of hundreds of old established trees - each large tree would have more than one hollow, these trees provide habitat, nesting opportunities, food sources for many animals, birds, bats etc utilising the trees foliage, flowers, bark, and sap.

Mining Licence

The Mining licence will see an increase in the project area from 1675 ha to 2143 ha, an increase of 448 ha.

It facilitates the delivery of infrastructure required to support the Project on Land outside the area to which a mining licence applies. It has not been assessed for the environmental, existing vegetation including trees, GDE's, and hydrological impacts.

If the area is not to be mined, why is it needed – is it a buffer zone around the project area for controlling or managing environment impacts, dams, lay down areas, pipelines, placements of overburden heaps, managing surface water flows etc.

The application for a mining licence will effectively put on extended buffer zone for mining use within the licenced area, really an extensive buffer zone should be put on agricultural land to protect it from mining because of the environmental, ecological, dust, noise, amenity, and economic impacts.

Road realignments document #48

Video

Rehabilitation

Proponent is in charge and undertaking their own rehabilitation.

If there was a premature shut down of the mine – what are the impacts on the environment, community, residents, and probability of completing the rehabilitation.

Volume 3 Page 11.2 Appc. Attach B... *“Kalbars financial provisions process is linked to the Company's annual budget cycle. During operations, cost and unit rates for rehabilitation and closure activities will be developed at a site level and used as the basis for annual review of closure and rehabilitation cost provisioning”*. Bond rehabilitation amount will be set aside by an allocation from the Companies annual revenue, is this offsetting of staged financial input towards the rehabilitation bond adequate?

Open air stockpiles drying out will impart dust across the countryside.

Stockpiles of cake 3,600 tonne accumulated over the weekend period.

135ha (10%) void open at one time. Rehab not to commence until 3 years into the mining phase.

200ha native grassland rehabilitation site proposed is only a small proportion of the site, is this area mined at all. The examples of an established native vegetation site at Bengworden property which took 11 years to come to fulfilment would be regarded as unproductive, uneconomic in a commercial operation – I am sure the bank manager would not want to wait that long for any return on outlaid investment.

Sump drainage at base of void where does that contaminated water go/end up.

12% of Gippsland Grassy woodland of the Region to be removed.

The idea of leaving/saving large trees is of paramount importance, but also there needs to be a significant buffer/no go zone around these trees because if heavy machinery and vehicles are continually traversing over their expansive root systems which are just below the ground surface it will kill the trees.

Water balance/requirements

Anticipation of drought occurring during the mine life was not explicitly modelled in the water balance method. Yearly evaporation losses from dams could be 30% higher than modelled.

Less water available may see the life span of the mine life extended, this is a further risk to the Community and the environment.

4-day test Latrobe Group aquifer only tested the parameters of the aquifer not the sustainable yield and drawdown.

Impact assessments need to be undertaken on spring fed dams including applying mining buffer zones, analysing stratigraphy beneath, or laterally beyond the mineral resources. These naturally occurring spring fed dams are utilised by adjoining landowners, mining will destroy this water source.

It is more productive to pump the product than transport it, which requires more water, this waters recoverability is questionable.

River gauge readings of the Mitchell should have been taken above and below the mine site because there are many gullies, rivulets, ponds, groundwater, or subterranean flows contributing to the volume of water recorded that enters the river in the vicinity of the mine.

Harvesting of surface water from the watershed catchment into 19 freshwater dams' questions whether adjoining properties will receive enough surface water runoff to their own dams. Dr Kiem identified that 1/3 of watersheds had not returned to pre-drought levels even after 7 years of more normal precipitation. With an altered topography and catchment slope will sufficient volumes be received on adjoining properties dams and even the proposed mines capture dams. These land profiles will be changed for perpetuity.

East Gippsland and the wider region are experiencing increased population growth as new residents move to the area, will require an increased volume of town water which is sourced from the Mitchell River .

Weather station

One weather station site is not indicative of the large project area, the position is protected from wind by trees and buildings, weather impacts change with site location, terrain, and site exposure.

As stated by Dr Kiem, droughts vary in duration, timing, magnitude, spatial extent, and the impacts of climate variability are a very real issue and should be factored into all modellings. It is not a given that we will have enough rainfall each year to keep the rivers flowing or the groundwater plentiful, or the wind be unrelenting, summers more intense increasing our demand on our finite water reserves which are also used by many towns in East Gippsland, horticulturalist, existing industries, tourists, and the environment.

Seasonal impacts /Mother nature

Drought - It is inferred that these impacts happen somewhere else, but unfortunately drought looks the same no matter where it occurs. The probability of a drought occurring during the mine life was not explicitly modelled in the water balance method. Water is a finite resource.

The impacts of dust on livestock health include , wearing down of their teeth, exacerbated eye conditions, and skin irritations.

Surveys were conducted following the 2014 fire which severely impacted this area, shadowed by a major drought – biodiversity, GDE's etc would not have been in expected or predictable conditions.

Fire This Community is still recovering from and rebuilding following the impacts of February 2014 fire which encompassed 6738ha, destroyed 3 homes, 900 head of livestock, 100's k fencing, pasture, fodder, farm infrastructure and machinery.

Flood

Mother nature at times can deal the farming community with some serious challenges with fire, floods, droughts, pest, and disease outbreaks but we can work through these and envisage a time when we will return to normal but the proposed mine with its protracted duration is unworkable and incomprehensible.

A sense of Place - developed through experience and knowledge of an area - its history, geography, culture, geology, its flora, fauna, legends, intrinsic natural environment, countryside, ambience, a sense of identity and security. Leaving a legacy that will far outlast our existence on earth - we are custodians of this land.

And now a want to finish up with a word from the smallest member of our family.

We want our farm forME.