Submission Cover Sheet

Fingerboards Mineral Sands Project Inquiry and Advisory Committee - EES

494

Request to be heard?: No - but please email me a copy of the Timetable and any Directions

Full Name: Geoffrey Rhys Maddern-Wellington

Organisation:

Affected property:

Attachment 1: Submission-Finger

Attachment 2:

Attachment 3:

Comments: see attached submission

G. Rhys MADDERN-WELLINGTON.
[redacted]
PAYNESVILLE Vic. 3880
29th October 2020

[redacted]

Note: For **Professional Qualifications** and Experience, **Refer Attachment 1**.

Dear Inquiry and Advisory Committee members,

I am writing this submission with reference to the **Environmental Effects Statement, EES**, pertaining to the **Fingerboards Sands Project at Glenaladale, East Gippsland, Victoria** and which was prepared and submitted by **KALBAR OPERATIONS PTY LTD** (KALBAR) to the Victorian Minister for Planning by way of the Victorian Government's Department of Environment, Land, Water and Planning (DELWP).

A. Brief examination of the submitted EES, did immediately reveal to me, grave concerns, (causing fear and anxiety), that <u>the documentation, as submitted, is "not fit for purpose".</u>

The documentation, together with its plans and proposals, has **NO SUBSTANCE.**
No focus on an honourable, real idea or definition, summary as to what **IDEAS** it is **submitting for acceptance and approval**. This involves the **lack of description or summary** as to the **REAL COSTS** to the **Victorian people**, particularly the **adjacent Communities**. Remember this is a **15-YEAR PROJECT**.

The EES is deficient in that its content is presented in Two Dimensions, 2D. i.e. Plenty of plans, a few open sided, elevations. There is **NO ATTEMPT** to **view or represent**, the **WORKS IN 3D** or **REPRESENT PROGRESS OF THE WORKS OVERTIME**. Remember this is a **15-YEAR PROJECT**.

No Animation, no 3D Modelling. There is **no opportunity** for the **ASSESSORS TO INVISTIGATE** how the project is going to be **IMPLEMENTED** in respect to **TIME AND PLACE**. Remember this is a **15-YEAR PROJECT**.
I am of the opinion: **<u>This is a MUST.</u>**

It is **TIME AND PLACE** combined with the **NATURAL ENVIRONMENT** (physiography, topography, meteorology, hydraulically etc), that will **DETERMINE THE EFFECT OF THE PROJECT ON THE ENVIRONMENT** and more importantly the **ADJACENT COMMUNITIES**.
Remember this is a **15-YEAR PROJECT**.

B. <u>EES-PERCEIVED DEFINIENCIES PREVENTING PROPER ANALYSIS OF Environmental Effects:</u>

i) No detail of **DRAINAGE TO AND FROM** THE **PROJECT SITE.** There seems to be several proposals to bring **WATER INTO** the site but the EES is silent as far as **WATER DISCHARGE** is concerned.

ii) No detail of **DRAINAGE, AND EROSION CONTROL** necessary as part of **PROJECT WORKS PLAN**. **Does NOT include Design Criteria or Data** including expected Rainfall/Storm Frequencies and derivation of Rainfall Intensity Chart Information. All this is required for the **DESIGN of an approvable Work Plan** and the **DETAIL DESIGN of the Mine's EXTRACTION ROUTINE**.

iii) **NO DETAIL** concerning **PLANNED EMERGENCY RESPONSES**.
Meteorological; Drought, fire threat and flood, and Water Flow Managemental (Stormwater discharge and management of water in and from the excavated Open Pits),

iv) **NO DETAIL of "triggers to implement Changes to Mine Operations and Management".**

v) **No mention of the Proposed Use** or Implementation of the following publically available **Apps** into the **operation and management of the Mine's Works Plan**.
<**BOM Weather**> -BOM Weather is the Bureau of Meteology's weather app. Winds and Rainfall Locations), nor
<**VIC AMEREGENCY**> emergency.vic.gov.au Winds, Rainfall, Fires etc. and Help with Planned Response.

iv) **EMERGENCY PLANNING** in case of **BUSHFIRE**, (Water reserves, fuel reduction etc). **Protection of ASSETS** and **confinement of possible POLUTANTS** including Sediment and Polluted runoff/discharges. **Planned action in advent of Power Outage**.

C. Any Approvals, in , a **Work Plan , will directly and adversely affect ADJACENT PROPERTY OWNERS and BUSINESSES** in respect to:
i) land acquisition, and **land** values,
ii) **noise**, and **dust**,
iii) **traffic** movements,
iii) the availability, competition for and **price of water**,
iv) the availability, competition for and **price of Energy**, and
v) the loss of the Communities ability to fight **CO2 Emissions** and subsequent "**CLIMATE CHANGE**".
Remember this is a **15-YEAR PROJECT**.

D. The **EES**, as presented, does **NOT CONTAIN FUNDAMENTAL DATA OR RESEARCH**, including inter alia:

a) **NO ACCEPTABLE DESIGN** {worked out plan) **nor numerical calculated analyses**. The PLANS (no designs), such as they are presented and proposed, are considered unworkable, impractical, unfeasible, impossible, and the **associated problems** (not defined) possibly insurmountable.

b) **ACCESS TO LOCAL COMMUNITY RESOURSES** are **ASSUMED TO BE A GIVEN**:
i) water from the Mitchell River and a Bore Field,
ii) Access to "dirty electric power", via a simple 'connection to the grid'.
iii) Use of Diesel Generation during the construction stage.
iv) The extraction of all the total ore body within the designated Mine Site. It is curious that at least some areas are designated "out of bounds" because of **susceptibility to erosion or unacceptable slope**. What depth restriction is to be applied to the "depth of excavation". What safety **"batter slops"** are acceptable on **deep pit excavations**. What about **Heritage trees, Cultural Significant Sites, erodible or unstable watercourses** etc?

c) The possible **DEVALUATION of COMMUNITY RESOURSES**, namely **UNDERGROUND .WATER RESERVES** because of accident or Extraction Mismanagement. Application of strict, supervised Quality Assurance is essential.

d) A possible **COST** is the cost associated with the **TRUST and INHERENT RISK** that has to be afforded, by the surrounding communities, in **KALBAR and its successor ownerships**, to carry out, to **Final Completion, the Works** as promised and programmed. This could be mitigated by the Lodgement of Bonds the size of which should reflect its record/behaviour so far. Under what approvals and/or Permits were the existing **Exploratory Ground Water Bores Drilled**? What Quality Assurance has been applied to prevent cross contamination between aquifers.

e) There are **NO OR FEW FUNDAMENTAL QUANTITIES** available for analysis. There is **NO HYDROLOGICAL AUDIT despite the fact that WATER IS THE BASIS OF THE PROJECT AS A WHOLE**.

f) My personal concern is that the **EES** has **NO BASE FOR A PROPER DETAILED DESIGN**. Design standards or Codes, previous experience? **Refer Attachment 1.**

g) There is **NO MEANINGFUL DEFINITION/DESCRIPTION OF THE SITE**: Crown descriptions, ownership, Crown Land etc., let alone **TOPOGRAPHY**.

h) **No 'EXISTING CONDITIONS PLAN'**, Detailed contours, existing dwellings, surrounding land use, hydrology (watercourses, and drainage characteristics), etc.

i) **No GEOMORPHOLOGY** (the branch of geology that studies the characteristics and configuration and evolution of rocks and landforms/topography). The presence of the incised dendritic gullies, and watercourses, unrecognised.

j) **No MODERN HISTORY** in relation to **PAST LAND USE, PAST DELELOPMENT RESTRICTIONS**, (planning zoning and overlays etc), **PERSONAL EXPERIENCES** (pertaining to people who have lived and worked the land). Evidence of **LAND DEGRADATION** due to soil fertility, soil erosion etc. The efforts of the **Vic Govt, local Communities** to deal and arrest these situations. **ADVICE** given by past **Soil Conservation Authorities**, and modern **Landcare Groups** etc.

k) No meaningful **QUANTITIES OF WORKS** to base a **WORKS PLAN** or any assemblance of an **Estimate of Cost, Timelines** or any other **physical or financial considerations**.

Conclusion:
It is my contention that:

A. The EES is NOT FIT FOR PURPOSE (in its present form).

B. That the EES is NOT SUITABLE FOR A PROPER ACCESSMENT pursuant to the provisions of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

I strongly oppose the ACCEPTANCE and CONSIDERATION of the EES as proposed and presented.

Please Note: The **KALBAR's Site Plan for the Mine** is **BASED ON A *'google Earth' photo capture'***?

It is my contention that a **DESIGN ENGINEER has NOT BEEN INVOLVED IN THE PREPARATION** of the submitted EES. (Refer Attachment 1). It is my opinion that this is **the reason the EES is deficient in so many respects**.
I believe the preparation of the EES has been a **"box ticking exercise".**

I thank the Panel Members for the opportunity to make a submission.

Regards,

[redacted]

G. R Maddern-Wellington

Refer "Attachment 1": for "bona fides" of signatory.

Attachment 1.

Qualifications, Relevance, Experience and Authority pertaining to Submitter:
G. Rhys Maddern-Wellington

Qualifications:
a. Swinburne College of Technology
i) **Diploma in Civil Engineering, 1970.**
ii) **Degree of Bachelor of Engineering (Civil), 1974**.

b. Royal Melbourne Institute of Technology
i) **Graduate Diploma in Land Data Management. 1998**

<u>Explanation of RELAVANCE and AUTHORITY associated with SUBMISSION.</u>

1. To make sense of the above **ATTITUDE** (disposition and beliefs), in relation to **this submission**, I offer the following explanation.

My name is G. Rhys Maddern-Wellington. I was **employed**, for approx. **25 years**, within **three Victorian Local Government Authorities**, as a Senior Design Engineer, Subdivisions Engineer, and Special Investigations Engineer. The work included enforcement methods to guarantee strict compliance with all appropriate Statutory Acts and Regulations and to assess compliance with ACCEPTED COMMUNITY PRACTICES.

I offer, as a **COMPARISON to the EES Approval System** the following:
The Implementation of the Town and Country Planning Act 1962, into Victorian Local Government Authorities, during the period 1960's -1990's.

It involved the gradual formulation and implementation of a STANDARD SYSTEM and approach to to the preparation and implementation of Municipal Town Planning Schemes.

To get a base or start, every Municipal Authority was required to **prepare an "existing conditions plan".** The **'base'** of these plans was a **Topographical Contour Plan'**, the creation of which was funded by the Victorian Government. It was a spatial compilation of all **EXISTING LAND USE**, existing Planning Permits, existing Town Plans etc.

This, I feel, is **the object of the EES System of Approval**. Therefore, I feel it necessary to base any considerations for a Mining Planning Permit Application, and its **EES Assessment, to be based on** an **"Existing Conditions Plan".**

My **personal experience**, in respect to developments, has been inter alia:
i) the design, specification, and construction of a great variety of Municipal Assets/Infrastructures.
ii) the examination and approval of Plans and Specifications pertaining to the Private Developments including Buildings, Subdivisions and Servicing of Lands including compliance with Planning Requirements and Conditions.
iii) liaison with all responsible Authorities responsible for aspects regarding the developments and servicing of land within the Municipalities.

A **civil design engineer** can be distinguished from other persons because of their different approach to solving problems. **The engineer's approaches a design task** by building up a "library" of **considerations** from which he or she can make a great number of small/**simple design decisions** which ultimately guides him or her to a **satisfactory/acceptable design**.

His or her **research** (systematic and scientific investigation to establish facts) has the **purpose of inquiry** (a search for knowledge) into many facets (**distinctive features or elements in a problem**) all for the purpose of providing the **"library" of considerations** mentioned/explained above.

The engineer bases his decisions on data derived from inter alia:
a) Codes of Practice (experience of Colleges),
b) Legislation, (unconditional requirements)
c) Personal Past experience,
d) Datasets such as from:
i) - **the Victorian Government Data Directory** etc. Subjects: Native Vegetation, Crown Land Tenure, Earth Resources Spatial Data Collections – e.g. Wells and Boreholes etc
< discover.data.vic.gov.au >
ii) - **DELWP**. Sources of Information: MapShareVic,, Vicmap topography, Coordinated imagery Program etc.
< www.delwp.vic.gov.au >