

Submission Cover Sheet

Fingerboards Mineral Sands Project Inquiry and Advisory
Committee - EES

831

Request to be heard?: Yes

Full Name: Kerry Knights

Organisation:

Affected property:

Attachment 1:

Attachment 2:

Attachment 3:

Comments: See attached submission

EES SUBMISSION PERSONAL

I write to submit my strongest objection to the proposed Fingerboards Mineral Sands Mine which Kalbar are seeking endorsement for.

PERSONAL AND LEGISLATIVE PERSPECTIVE

I have lived and worked in the region for around 18 years, having moved from Melbourne because of a work transfer. Arriving here, pregnant with my eldest and essentially knowing no-one, I now couldn't imagine returning to live in a Metropolitan area.

The Media have spoken of how Melbournians have risen to the challenges of Covid Lockdown, connecting with previously unknown neighbours and providing practical and emotional support. Here in Gippsland, that's embodied within the Community as standard practise. It's just 'part and parcel' of the landscape, a bit like knowing others in the Supermarket by name and stopping for a chat. Or waving as you pass each other on the road. There's a sense of accountability, and one look at the 'Thumbs Up/Thumbs Down' column in the local paper provides a barometer to what people value. And common themes are Honesty and Respect.

When I'm not being a parent, building on my fitness, or catching up with friends, I work in Mental Health. My Position, Qualifications and Training, along with working under the Legislative framework of the Mental Health Act 2014, gives me considerable influence when it comes to a persons rights. Whilst the MHA2014 focuses on assumed capacity, the rights of an individual and has a range of clear safeguards in place, I can, along with my colleagues, assess an individual as meeting a particular criteria that requires hospitalisation and enforced treatment. From this one document, I can obtain Emergency Services assistance to involuntarily transport a person, right then and there, to a secure inpatient unit. Sedation and/or restraint may be used during this process.

And this is all totally and absolutely Legal.

As you might imagine, such an occurrence can have profound and lifelong impacts on the individual, their family and others. So, enacting my Powers under this Legislation is not something that is taken lightly.

When in a situation of conflict, such as sending a person to Hospital, I always ask myself "whose needs are being met?" And absolutely always consider the risks of my actions or inactions. I understand deeply the need for 'above the line' accountabilityⁱ.

I tell you this for two reasons. Firstly, to provide some background to the sense of anxiety I, and all others, feel about having people who have never lived in the region, and maybe never visited for any length of time, having such influence when it comes to whether this Project goes ahead. And in doing so, causing catastrophic and irreversible change to this little part of the world we value so much. And then also compound the effects of Climate change, the impacts of which go well beyond local government boundaries.

The other reason is to respectfully remind you, The Panel, of the importance of considering what the EES Submissions bring to the table. To thoroughly explore the risk alongside the identified needs and rights of the Community. And indeed, the Planet. Particularly as this long predicted Climate Crisis now upon us.

I reiterate to you the need to move beyond a 'tick box' exercise and the consideration of touted financial gain of company shareholders and the Tax office. And to shift beyond the pull of undercurrents with Political Agendas that flow through Government departments when you critique the information.

Any Rights are always balanced with Ethical Responsibilities, including a clear focus on the Legislative frameworks and principles enshrined within Acts or articulated by Guidelines.

The Office of the Merit Protection Commissioner has detailed this in the Ethical Decision Making discussion document which focused on the Australian Public Service.

I would strongly encourage you to read this, to give clarity and perspective to your role on the Panel.ⁱⁱ

LOCATION

As in Real Estate, it's all about the location. I am not against mining, but having a Mine in this location defies all logic. Even before one looks at other factors such as Legislation.

The Fingerboards site is on a plateau, rising some 125 metres or so above sea level, with the Mitchell River flats below. Given the topography and landscape, it is subject to high winds and heavy rainfall. The steep gullies around The Fingerboards provide a unique microclimate for a range of species that would fail to flourish on the more exposed areas. Wildlife, including (but not limited to) wombat and Emu use the gullies for foraging and protection.

The Fingerboards also has ancient gums, which predate European Settlement, and are a visually spectacular source of carbon storage. Along with food and shelter for a wide range of birds, mammals and insects. Roadside vegetation enables a functioning wildlife corridor particularly for seasonal migrations. The ancient Gums enable birds, possums and other creatures to nest in their hollows.

For Locals, The Fingerboards intersection is a known meeting place and was pivotal in the 2014 bushfires. So much so that the CFA now have a permanent and protected water tank on site. Even during the driest times, locals respect its function and don't access the water for their own use. A local 8th generation farming family has donated some of their land, which is at the intersection, to the public and this includes an interpretive board, outlining the history of the area, and has a Public Notice board function as well.

For First Nations People, the Fingerboards area holds deep Spiritual connection. A local Gunaikurnai Elder, who walked on Country, has spoken of the project footprint. His valid concerns involve, but are not limited to, the 536 hectares of the culturally sensitive area within and adjacent to the proposed mine footprint which will be destroyed. Many of his concerns are part of Secret Business that can't be discussed with non-Aboriginal people.

Stone artefacts were identified during his walk On Country recently and included 68 surface scatters and 281 Subsurface artefacts within the mine footprint. He also indicated the Spiritual and Cultural sites of significance throughout an already heavily modified landscape, and how they are of immense importance. The enormity of destruction of physical and Spiritual connection cannot be understated.

Imagine the uproar if the Shrine of Remembrance in Melbourne or Canberra were to be converted to a Bar and Nightclub. Or a Used Car Yard, with all historical aspects destroyed. The distress and outrage generated would pale into insignificance compared to the Compound Trauma this Project inflicts on the local First Nations People.

The Project defies the Principles of the Aboriginal Heritage Act (Vic) 2006 by blatantly disregarding the Purpose and Objectives of that Act.ⁱⁱⁱ

The Landscape around The Fingerboards is visually spectacular. The nearby mountain range provides a dramatic backdrop, and is a popular travel destination. The Den of Nargan walk is always guaranteed to get the lungs heaving and the camera clicking. Last time I was there, a Lyrebird was on the path in front of us, and it stayed for some time, displaying its plume. Having a drink at the Dargo Pub is a time honoured tradition for both locals and travellers, including 4WD and motorbike enthusiasts. Coonawarra Camp is popular with School and Business Groups, providing residential and day trip experiences, such as The Giant Swing, Horse Riding, canoeing and much more. Regardless of the activity, travel to these and other destinations is through The Fingerboards.

The Fingerboards area supports a range of Horticulture and Agriculture enterprises. Some, as mentioned above, a multigenerational. Given the sense of Community, the Landscape and the fertile soil, it's not surprising that the Farm transitions from parent to adult child. Or adult children return to the area to "be near Mum and Dad" and work the Land themselves. These businesses supply Milk, Beef, Lamb and Vegetables for Australian meal times. They enable economical delivery of fresh goods with comforting regularity and provide employment, both on farm and in packing/delivery.

And this fertile farming community is backed by the ecology. Gravel aquifers provide for Spring fed dams and gullies, which bring a reliable source of water for stock. Even in the driest times. A richly diverse habitat supports a broad range of flora and fauna. Including Endangered and Threatened Species. With the Mitchell River, a Heritage Listed River, at the bottom of the plateau, its waters flow through RAMSAR listed areas, in to the Gippsland Lakes and out to Bass Strait. It provides the drinking water for Bairnsdale and surrounding areas, although many around Glenaladale rely on tank water only. The Water storage is some 3.5 km downwind from the Project area.

So, why or why would anyone want to put great big holes in the ground, each around 320 ha in size and 40 m deep, destroying everything in its path? The MCG oval is around 2 ha, and 160 of these would take out many Melbourne suburbs. Again, imagine the outrage of locals and the sense of injustice they would feel.

The impacts of this noisy, dusty hole in the ground will reverberate with a deafening roar through the region. Tourism, food security, air quality, environmental ecosystems and more will all be adversely affected. Whilst this term can sound benign, and be taken to mean somewhat of an 'inconvenience' or 'irritant', the reality for this region is that peoples livelihoods will be shattered.

And then there's the environmental catastrophe. Covid19 has demonstrated what can happen to economies and communities when something calamitous and unstoppable happens.

The decision you as Panel Members make has the clear capacity to destroy East Gippsland and all it provides for the rest of Victoria, and beyond. Whilst this might sound like "some exaggerated rant", it's not.

This is not a solar panel installation in a disused paddock, or a Bunnings store in Lygon street Carlton. This is so much more.

WHY THE NOISY, DUSTY BIG HOLE IN THE GROUND?

Well, that's easy enough to answer. Money. Kalbar have driven this process over the past 6 years or so. They took up after Rio Tinto, and Oresome, both walked away from the site. These companies identified the costs, along with barriers to water access, rendered the Project unviable.

Money, specifically a financial plan, is something the EES doesn't speak of. There's no Business Plan from Kalbar to demonstrate they meet the requirements Mineral Resources Sustainable Development Act 1990.^{iv} The MDRS (Act) requires Kalbar to satisfy certain conditions before a Mining License is granted, including clauses pertaining to being 'a fit and proper person', and the mining area demonstrates 'an accessible, economically viable body of ore'.

There's not a whisper from Kalbar in the EES of establishment costs, ongoing expenses and other such factors. What evidence is there that Kalbar is able to finance the development and operation of the Mine, including lodging a declared Rehabilitation Bond?

What assurances are there that Kalbar, who have changed names and corporate identity twice already won't do this again to negate their responsibilities later on.

The local community, whether that be neighbouring properties or business which provide service, have no assurances that the Project will be developed and continue to operate in the long term. The alternative is an abandoned Project which brings with it an exhaustive list of implications. Looking to the Bendigo experience, Douglas Mine, Benambra Mine near Omeo, or the two near Ouyen will give an indication of the absolute disaster left behind.

Kalbar have perfected the art of 'smoke and mirrors', providing part truths and distorted information for their own needs.

Financially speaking, this has included some creative and retrospective accounting practises which, in Sept 2020, mysteriously and magically altered the percentage of overseas control of the Company from 94% to 88%^v.

Then, between 25 July and 24 Aug 2020, there was the issuing of 3.8 million shares without money changing hands, which resulted in the company value increasing by \$5.^{vi}

UNACCEPTABLE BEHAVIOUR

This Community has interacted with Kalbar now for some 6 years. I mentioned 'Above The Line' behaviours in my introduction, and the polar opposite of that concept is 'Below the Line' behaviours. Broadly speaking, they involve behaviours which fail to align with social norms, and are described as being disrespectful, dishonest, irresponsible and unsafe.

From a personal perspective, I am disgusted by their values and behaviours when dealing with the public. Episodes of harassment, bullying and negating valid concerns seem to be their accepted means of achieving what they seek.

Whilst releasing the EES, in August, the midst of a Pandemic is a strategic move, as it prevents group gatherings, this choice doesn't reflect 'fair play'.

Kalbar claiming that they've kept the Public informed and up to date is an outright untruth. Unless an individual has access to the internet during the Pandemic, or purchases the local paper (printed once a week), then that person may well be 'in the dark' as to latest developments. Prior to the Pandemic, we had 3 papers a week printed in Bairnsdale. A free one of a Wed, The East Gippsland News, was delivered far and wide, and available to read in cafes and the like. And a Mon and Wed there was the Bairnsdale Advertiser available for purchase. Since 02 April, there's only been the Advertiser for purchase of a Wed.

The Webinar (24 June 2020) was farcical, with no capacity for two way discussion between attendees and the Kalbar representatives. Fifteen minutes were allocated for each topic, with questions submitted beforehand. I had asked two questions, neither of which were answered on the evening. And when I looked at their responses to questions asked posted online some time much later, my question about Social Licence had been edited. I asked a Senior Kalbar staff member why this was and he said it was a decision made (by him) as “that part (edited) wasn’t relevant to us”. How does this reflect the transparency Kalbars website purports to provide?

Accessing the physical copy of the EES was difficult for many, including myself. Staff at Kalbar took 2 weeks to reply to my email requesting clarification around the distribution.

Coupled with this is the abhorrent behaviour towards those living around The Fingerboards area. One older farmer, who had health concerns and limited education, was harassed to the point he, with assistance from others, took out an Intervention Order. This prevented Kalbar staff attending the property. However, they identified when the farmer was in Bairnsdale shopping and intercepted that person in the Supermarket aisles to discuss Kalbars aim of purchasing the property. The stress this generated resulted in the farmer ‘selling out’, and they now live on Centrelink Payments in another area around Bairnsdale.

This level of harassment is not uncommon, with others in the district discussing the underhand behaviours of Kalbar staff.

Unauthorised access to property for installation of monitoring equipment is another example. This monitor (below left) is located in Perry Gully, cable tied to a tree on Private Property.



One (right, above) is on a fence post along a Chettles Lane which remained on the ground for several months before being reattached by Kalbar.

More recently, a Kalbar employee was involved in a physical altercation, on a weekend, with a member of the public who confronted them about the destruction the Project would bring to the environment.

On a background of sustained 'Below the Line' behaviour it is of little surprise to hear muttered comments from the community about murderous intent should the Project go ahead. Registered Firearms are prominent in farming communities to deal with pests on property or to 'put down' animals which are sick.

How can this 'Below the Line' behaviour be acceptable? Let alone from a Company that promotes itself having core values of "Sustainability, Caring and Learning". ^{vii}

Nor is this behaviour reflected in the one (of the six policies) available online around 'People'^{viii} which indicates "an expectation of demonstrated leadership behaviour at all levels of the organisation; (and) creating a culture that treats all people with respect"

The Policies seem another example of Kalbars veneer which, quite frankly, doesn't translate to reality.

Kalbar state their project meets a pressing need for materials, which can be extracted and exploited from this location. That's not true. Firstly, there are other (abandoned) Mineral Sand Mines around Australia they could access and mine further.

And secondly, by mining this area, Kalbar will eradicate sustainable and long term industries which value add to the community, economy and environment.

INFORMATION PROVIDED TO THE PUBLIC

Kalbar have been consistent in providing simplified schematic diagrams outlining the Project plans, including how the Mine operates. From this, all components of the EES are based. They propose a Progressive Rehabilitation method, which they cites as achievable because Kalbar have consistently stated the Mine void would be progressively backfilled. Thus enabling the Rehabilitation.

What if Kalbar decide, for economic reasons, to be selective in what areas they mine and when? What guarantee is there that Progressive mine will occur, and not a patchwork of mine pits? They may adopt a 'scatter gun' approach to obtain maximum return as soon as possible, which would negate any notion of progressive rehabilitation.

Given the absence of a Business Plan, what assurances have Kalbar given in the EES? The very document which is meant to represent best practise reporting, and an achievable outcome which benefits more than the shareholders.

One doesn't need to look far to find examples where Mining companies consistently fail to do what they say they will. And the community has no redress as Regulatory bodies are ineffective in their role. For a range of reasons, including conflict of interest (per the Auditor General report Aug 2020).

CALIBRE OF REPORTS IN THE EES

The EES document is a massive collation of data. Filling around 14 x A4 Lever Arch files, it presents a challenge to read in full and respond accordingly. Particularly given the timeline permitted between its release and the public submissions deadline. (40 business days)

It is my understanding that the Technical Reference Group (which didn't have an Agriculture/Horticulture representative) critiques the contents. Their role is to give guidance to Kalbar during regular meetings around what is required, critiquing the accuracy of data sources and such.

I respectfully suggest the TRG had lost focus on their objectives, and thus capacity to provide constructive feedback, prior to the document actually being sent to the printing service.

The Risk Report, which is a major component of the EES document, and a Ministerial Requirement, is unreadable in its printed format or online (Section 24 pages 8 – 20).

Vast tracts on data and information is distorted or outright wrong

Such an appalling Standard of presenting data, and the challenges with accessing information, unfortunately sets the tone for the EES. These are not isolated incidents.

Kalbar have funded the Consultants who provided the data, and each disclaimer indicates intrinsic bias. Such an example where Urbis states "Urbis prepared this report on the instructions, and for the benefit only, of Kalbar Operations Pty Ltd" ^{ix}

Emails I sent requesting clarification on EES information weren't promptly replied to (ie, it took several days) and gaining specific details was 'like dragging teeth'.

Kalbars EES documents often lack depth, accuracy or validity. Measuring air quality at Traralgon (in the Latrobe Valley, site of a coal fired power station) some 120km away and using it as baseline in rural Glenaladale is an example distorting data to meet an end.

Unfortunate typing errors, such as referencing under Air Quality and Greenhouse Gases the testing of "wank water" ^x(rather than tank water) diminishes credibility of the information, and brings to the fore questions around EES compilation processes. Did anyone actually proof read the document?

The reliance on desktop data by several Consultants had glaring geographical errors, such as in Noise and Vibration, indicating both Fernbank and Lindenow as having active Railway Stations, which actually ceased to operate in 1981. Or incomplete maps, such as ones whereby the Mitchell River didn't feature, and at times, nor did Glenaladale. Or to place the Mine north of Dargo.

In the Landscape and Visual document, the documented size of the Tailings Storage Facility varied from 40ha to 90ha, and the Mine Void itself experienced similar variances, ranging from 120 ha to 340 ha.

Beyond these obvious examples, there are real questions being asked about the technical aspects of the Project plans.

Details are missing, such as sourcing dam building material from the Haunted Hills formation but no documentation to articulate the specifics of the clay or other materials being used. Dam building is a technical skill requiring Engineering input and an understanding of best practise in material selection. The EES gives no clarity around the process, and thus no capacity for the reader to make a balanced decision on the reliability of the dam structure to remain intact. Mine void angles seem alarming at around 40 degrees, and present a risk of failure, particularly after rains.

The Test Pit advised by GHD to provide clarity around construction, soil integrity and more hasn't been undertaken.

Drill samples didn't find bedrock, and there has been no geotechnical drilling at the site of the proposed 90ha tailings storage facility.

Plans to fill Perry Gully using overburden is inherently flawed, with highly dispersive soils which are prone to erosion, including tunnel erosion, because of the chemical characteristics of the soil. And if Perry Gully is to be filled, there's more issues with needing to line the porous gully walls with clay, which is difficult to source on site.

There are seemingly endless examples of inaccuracies/deficits which suggest a 'slap bang' and chronically substandard approach to the EES.

And illustrates how fundamentally flawed and thus inadequate the EES document is for the purpose of making a decision around the Project.

If this is what Kalbar feel is appropriate to present to Senior Government Officials and Technical Expert who are the Panel Members, what reflection is that of their due diligence when matters are of a more practical and operational perspective?

WATER ACCESS

Climate changes are upon us, and unless one still believes the Earth is Flat, there's no denying the Physics and other Sciences that endorse the Global Warming phenomena.

The devastating drought of 2017 – 2019, then the catastrophic bushfires of 2019 - 2020 are clear indicators of what is to come.

The rainfall in East Gippsland is projected to diminish over the coming years. Farmers are adaptable and seek to ensure they adopt water retention and other strategies which enable consistent and quality produce to be available.

This Mine plans to remove 3 GL a year for the life of the mine. So, that's 8 million litres of water a day for 20 years or so. Calculations from the EES about their water usage needs would suggest this amount won't be adequate for their needs. This presents two options – obtain more water to the detriment of Farming, or leave the Project, and have a dusty, toxic Mine Void for the Community to deal with for the rest of eternity.

With water use comes issues with run off. The EES clearly states that excess waters will be released in to the Mitchell River when flow levels are high. That water will contain heavy metals. Dilution is not a Solution!

TAILINGS STORAGE FACILITY

One of the most challenging engineering components of the project, and there's a diagram with a 'typical' TSF, and a diagram with 'general layout' of the site, and no detail. With the comment in the draft work plan that states "details will be provided later", how can there be any certainty about the standard and suitability of the TSF?

The TSF site hasn't been tested for geotechnical analysis, and the proposed use of site materials, which are unstable (dispersive), as the construction material is contrary to what should be used for the most rigorously designed 90ha of the project area.

The full impacts of Seepage and mounding haven't been incorporated in to the risk profile and to consider risk of failure as low when TSF regularly fail across the globe is remarkable.

Particularly when the proponents haven't provided a site specific design. If using an Upstream dam model, these are not suited for this landscape, particularly with the changes in temperature and moisture levels. Upstream dams are more appropriate for arid climates, and certainly not in a catchment area for a unique river system.

Does Kalbar have any understanding of the ramifications of their plans should things go amiss? Or is it they don't care?

The modelling provides little comfort that they do. So many issues with the TSF are not addressed, and yet, the EES is presented as appropriate for an informed decision to be made. Is Kalbar hoping this 'oversight' of detail won't be identified by you, the Panel Members, and the project will be endorsed? Or a variation to the work plan submitted later and a substandard TSF can be constructed regardless of risk? How could this been accepted as a reasonable option? It certainly doesn't fit with the scoping requirements in the EES opening spiel.

DUST

Mining is a dusty industry. Without a doubt, this is one of the key factors for consideration in the project. So, that said, why is there so little consideration by Kalbar as to the effects of this?

The massive underestimation of the amount of water required for constant dust suppression on exposed surfaces, including haul roads, will invariably lead to dust deposition on the landscape and industries downwind.

The reputation of the Horticulture Industry for a 'clean green' supply source is at dire risk.

One only needs to look at the likes of the Strawberry Contamination Scare of recent times to understand that 'mud sticks', and the implications of potential contamination from one supplier has a profound ripple effect. No, actually not ripple, more like a Tsunami. The strawberry contamination scare "brought the industry to its knees"

And this dust won't be like the distressing airborne dust, such as when there's a bushfire in the hills around Dargo, and the north westerlies are blowing ash and burnt gum leaves in to Bairnsdale. This dust embodies an extreme level of distress and great danger. It will be toxic dust, which contains a range of elements which are somewhere between dangerous to health and outright fatal. Looking at the data around increased respiratory illness adjacent to mining activities provides ample evidence of the physiological impacts. Well before a laboratory is even accessed.

Bearing in mind the wind monitoring station, located on Kalbar owned land, was located in the lee of the hill, and indeed where cattle go for shelter in storms. And the monitor didn't work for around 23% of the 12 months it was meant to be recording data. So much for monitoring the monitor!

From what data was gathered, Kalbar consultants assumed that wind speeds were generally low. The consultants couldn't even identify why the monitoring ceased. They suggested it *might* be due to lightening strike. But didn't check this out to ascertain fact over fiction.

And this is the level of 'slap dash-ness' which is meant to be acceptable, and adequate to 'give the keys' to Kalbar to start mining this fragile, complex and important landscape. Surely not.

If you value your vegies, like to drink coffee with milk ("latte, anyone?") and enjoy a good steak, giving Kalbar the go-ahead to mine will obliterate all the industries in East Gippsland that provide this. The dust will put an end to their economical viability as a farmer can't sell tainted produce. And then there's the biological effects on ruminants of ingesting dust laden pastures.

Want to get away for a few days or a couple of weeks to Lakes Entrance, watch the Pelicans landing on the still water, eat fish and chips whilst optimistic seagulls call out to share, or take a boat trip along the scenic waterways? The dust and associated toxins from this mine will obliterate those tourism industries and ecosystems as well.

Anyone who has built a house on a new block of land, and tried to keep the interior clean before the lawn is set, knows what “living on a building site” entails. Wiping dust from surfaces frequently. Now imagine that dusty surface is a 40 m mine void, with the vortex of air picking up particles of crushed rock and minerals such as arsenic and silica, from the mine floor and walls, and carrying them out and downwind, until the particles settle with gravity. Kalbar would like to have you believe they can manage the dust, but the reality is they can't. As mentioned, there's insufficient water to address the needs of dust suppression on haul roads alone. Remember, it was water access which is why Oresome and Rio Tinto abandoned the project years ago. Water has only become scarcer since then due to climate change and associated factors.

I hope you're getting an image of what this will be like if the mine is endorsed.

LANDSCAPE

What a beautiful part of the world The Fingerboards are. Ancient gums, rare orchids, a variety of native vegetation, Magpies warbling, Eagles soaring and the majestic mountains as a stunning backdrop. And if you're lucky, glimpsing the resident Emu in the paddocks. It's no wonder the locals have such a strong sense of connection to the land, particularly as many are multigenerational farmers.

My experience as a cyclist is the sheer joy that landscape brings. The winding roads of the Flats, the long, slow climb from Glenaladale up to The Fingerboards, then resting at the top and listening to the wind in the treetops, whilst birds call. Gnarled gums with birds peeking from hollows, and the gentle calls of stock. And the lure of a delicious cake from The Long Paddock café in Lindenow which makes the last climb up to the café much easier.

No wonder 'The Fingerboards Loop' is such a valued cycling route, and part of Cycling Australia Road races. As well as local club events.

Whilst not a resident 'out at Glenaladale', I understand the sense of 'solastalgia' that people would feel should the landscape be altered in a negative manner. The existential melancholia experienced by people with the desolation of a loved home environment is heartbreaking. And as a Senior Mental Health Clinician, I understand the consequences, include increased depression rates and the real risk of heightened suicides. These farmers have registered firearms.

TRAFFIC AND NOISE

The proposed increase in traffic is just frightening. As a cyclist or driver. The Fingerboards is a rural community, not an Industrial Estate. The mine will transform this, bringing increased congestion and risk of accident, along with frustrations and delays for road users as 80 Double B's trips a day have vehicles lumbering along the roads, which themselves are touted for removal and realignment.

Increased Noise, diesel pollution and grinding gears are not what is wanted. At present, about the only lumbering vehicle is a tractor, possibly towing harvesting equipment, which is a very different experience to a Double B truck loaded with toxic and radioactive material. At present, any trucks are from the vegetable growers, with the main risk being a flying cabbage leaf or stray corn head coming away from the load.

The EES has no indicators for managing road accidents involving mine vehicles, and the mapping of current road user levels, including noise monitoring, is flawed. Using a noise monitor with a battery life of 27 hrs and claiming it was able to provide 12 days of continuous monitoring has one wondering about the 'Chain of Custody' and what location the 'wiggly line' was actually monitoring.

Noise will be a constant, and the World Health Organisation is clear on the impacts this has on human health. Other scientific bodies have considerable documented evidence around the effects of constant noise the welfare of plants and animals.

The Fingerboards area is rural, not industrial, with sound at night generally expected to be of nature, or distant vehicles (sound really travels, especially when its cold).

And, with my 'Mental Health Hat on', the psychological and physiological effects are concerning. Do you recall where Melbourne Metro rail started playing classical music at railway stations to discourage youth from congregating? Well, this is nothing like that, but a whole lot worse. (I don't mind a small dose of classical in the right setting).

Bringing a 24/7 operation in to the area will have profound and negative impacts at so many levels. It's not what people 'signed up for' when they chose to live in the area, and the wildlife have no choice at all. They can't put ear plugs in, shut windows or, as the noise consultant helpfully suggested, turn the ceiling fan on to block the noise. Creatures need to be able to hear danger approaching, bird chicks call to parents and changing the noise landscape is just so wrong.

COMPULSORY ACQUISITION OF LAND

What a cruel concept this is. How can it be okay for the government to consider Compulsory Acquisition of property to meet the needs of the Mine, should it go ahead? The Mine project area has always been clearly defined, and now there's an expectation from Kalbar that they'll be able to access even more land for infrastructure and road changes. This project is not of State significance. There are other mineral sand mines in operation which meet the current market need. Rare Earth Minerals are not as rare as Kalbars glossy brochures would have you think. Any changes to land zoning and use should be the decision of the East Gippsland Shire Council.

A QUICK QUIZ

Will life on earth cease to exist if this resource in this location remains intact?.

No

Will life of earth change forever if this resource in this location is mined.

Absolutely Yes

Is this resource available elsewhere, in another area that is not so ecologically and economically fraught?

Yes.

Does the EES document reflect the Standards and Due Diligence required to undertake a complex venture?

No. Far from it.

Has Kalbar demonstrated the behaviours and expectations of a mining company which seeks to actively and collaboratively connect with the community to achieve a mutually beneficial outcome?

No. Not at all.

Did Kalbar meet the Scoping Requirements of the EES?

No.

What offers the greater long term benefit to the earth/community/economy?

A : Mining this finite resource in this location, or

B : protecting this location to achieve a sustainable environment, one which provides food, water, habitat and more?

B

IN SUMMARY

Whilst I could continue on and on about the perils of this project, I'm confident by now you should have a solid understanding of the general themes. And, as mentioned, this isn't an exhaustive list, but does reflect the concerns I'm confident others have also raised.

As I mentioned in the opening paragraphs, I always consider 'whose needs are being met' and 'above the line' behaviour when in a conflictual situation at work. One where I know that by signing a document, one individual can have a profound impact on not only another individual, but all those connected with them.

In my personal life, I have The Deathbed Question when pondering what to do. I ask myself "will I regret this when I'm laying on my deathbed?". If there's a sniff of potential remorse, I avoid that action.

I respectfully remind you of these concepts as you read the reams before you, and consider the tsunami of adverse effects on East Gippsland and beyond should the project continue.

However, given the calibre of the information provided in the EES, which is clouded by murky data collection and interpretation techniques, along with an overarching quest to have almost all risks (well, the ones identified by Kalbar at least) as low, I am confident that your skills in critiquing such documents, and experience in the technical specialty areas you have, will make the decision to recommend this project not continue so much easier.

So, in closing, thank you for taking the time to read this document and given due consideration to the issues and concerns raised.

Regards

Kerry Knights

ⁱ <https://discoveryinaction.com.au/above-or-below-the-line-where-are-you/>

ⁱⁱ <https://www.apsc.gov.au/ethical-decision-making>

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- iii http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/num_act/aha200616o2006210/
- iv http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/mrda1990432/
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- viii <https://www.fingerboardsproject.com.au/assets/files/2020/Policies/kalbar-people-policy-v1.1.pdf>
- ix Appendix A014
- x Katestone Environmental Pty Ltd Stage Two Air Quality and Greenhouse Gases EES pg. 79