



10 May 2021

Kalbar Operations Pty Ltd  
C/- White and Case Lawyers

Via email

Dear Sir/Madam

**Fingerboards Mineral Sands Project – Inquiry and Advisory Committee Request for Information**

The Inquiry and Advisory Committee (IAC) adopts the same general declaration as per the first Request for Information (RFI – Tabled Document 16).

Kalbar Operations Pty Ltd (the Proponent) is requested to respond in writing to the following items, noting that many are still subject to evidence and submissions at the Hearing. The Proponent should provide an indication of the timing for response to these items in the Hearing.

**Radiation**

1. Regarding the discussion at Point 33 in the expert meeting statement (Table Document 234) can the Proponent clarify the legal issues for the IAC around the export of Heavy Mineral Concentrate and the potential for extraction of uranium and thorium once exported from Australia.

**Dam construction**

Regarding the proposed water storage dams on the site, the IAC has the following questions:

2. Can the Proponent confirm that all water storage gully dams will be closed and removed as mining moves across the Project area?
3. Chapter 3.7.3 of the EES describes that the freshwater storage dam and the runoff water storage dam spillways will be constructed in accordance with the ANCOLD *Guidelines on the Consequence Categories for Dams* (2012b). Can the Proponent confirm that the runoff water storage dams themselves will be constructed in accordance with the relevant ANCOLD guidelines?
4. The IAC notes that the given the nature of the soils in the Project Area and anecdotal evidence of dam construction issues for landholders, what type of consideration has been given to gully dam construction materials including:
  - i. Has onsite testing been undertaken to confirm suitability?
  - ii. Is it envisaged that materials to construct the dams will be imported onto the site or will onsite material be used?
  - iii. What are the dam construction requirements?
  - iv. Who will be undertaking construction monitoring and testing to ensure structural integrity?
5. Whilst it may be a low likelihood, to what extent has Project risk planning considered the consequence of a catastrophic dam wall failure?

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## **Rainfall and runoff**

Following the evidence of Mr Muller and Mr McAlister in Week 1 of the Hearing, can the following matters be clarified for the IAC:

6. Have the rainfall, runoff, erosion and sediment transfer models been run taking into account climate change impacts expected over the mine life and at least 20 years after mine closure?
7. Have the models on expected rainfall and runoff been run consistently with the *Guidelines for Assessing the Impact of Climate Change on Water Availability in Victoria* (November 2020) (Guidelines) on how climate impacts should be assessed in making water allocation decisions?
8. If the model is not consistent with the Guidelines, can it be run using the baseline data period as specified in the current guidelines (1997-present) and the results, together with interpretation of them, provided to the IAC.

## **Incorporated document (version 28 April 2021 from the Proponent (Tabled Document 247))**

Clause 4.2 sets out the infrastructure and activities that will be permitted in the SCO and includes:

*4.2.12. Subdivision for the purposes of acquiring land for road and roadworks improvements and upgrades;*

*4.2.13. Vegetation removal associated with any of the above.*

9. The Proponent should:
  - i. Provide indicative lot sizes and number of smaller lots expected to be created under 4.2.12
  - ii. Provide advice on whether the subdivided lots are to remain in smaller parcels for the duration of the Project and thereafter, or whether lots are proposed to be re-consolidated (e.g. lots created for temporary roads)
  - iii. Provide advice on mechanism/s that could be used to require consolidation of lots
  - iv. Provide advice on the vegetation removal that is expected in the Infrastructure Area (as distinct from the Project Area).
10. Clause 5.2.2 does not list traffic and transport, however these issues are addressed in Clause 5.4. The Proponent should confirm whether traffic and transport should be included in this list.
11. Clause 5.2.3(b) provides that the Environmental Management Framework (EMF) should be generally in accordance with any works approval/development licence issued by the EPA. The IAC is interested in the views of the Proponent on the interaction between the EMF and the Work Plan. Can the Proponent:
  - i. outline the relationship between the EMF, the approved planning scheme amendment and Incorporated Document, and any approved Work Plan.
  - ii. advise whether any statutory decision maker will be bound by the EMF, and if not, whether (and how) this could give rise to potential inconsistencies across the statutory approvals around environment management.
12. Clause 5.4.5 states:

*The TTMP must include, as appropriate:*

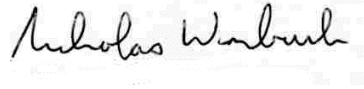
- i. *Measures to be taken to manage traffic impacts associated with construction, operation, and rehabilitation / decommissioning of the Project on surrounding roads, including strategies to reduce impacts of traffic associated with the Project and Project Infrastructure on the use of the local road network by agricultural users;*

In a practical sense, how does the Proponent anticipate Council will manage and enforce traffic impacts associated with the Project if loadout, hours of operation and movement of

vehicles are regulated for the site operations through the Work Plan which is approved and regulated through ERR?

If you have any queries please contact Amy Selvaraj at [Fingerboards.IAC@delwp.vic.gov.au](mailto:Fingerboards.IAC@delwp.vic.gov.au).

Yours sincerely

A handwritten signature in black ink that reads "Nick Wimbush". The signature is written in a cursive style with a large initial 'N'.

**Nick Wimbush**

IAC Chair