## POSITION STATEMENT



# Healing Wurruk is a cultural responsibility

We are Gunaikurnai people, the First Peoples of much of Gippsland.

For countless generations we have lived with Wurruk (land), Yarnda (water), and Watjapoon (air) as one. We are intrinsically connected to Country, as Country is to us.

For almost a century, coal mining in the Latrobe Valley has desecrated Country, destroyed cultural heritage and put our people's health at risk. No permission was sought. No compensation provided.

For too long, decisions about Country were made without us.

Today, after generations of harm caused by mining in the Latrobe Valley, we assert our right to be heard, and our responsibility to heal Country.

Coal mine remediation offers a historic opportunity:

- To heal not only landscapes, but relationships.
- To embed Gunaikurnai cultural knowledge and practices into future work on Wurruk.
- To realise economic independence for our communities.

This Position Statement sets out the Gunaikurnai people's vision, principles and priorities for healing Wurruk after coal.

# The damage done to Wurruk

Coal mining has inflicted deep and lasting scars on Country.

Mining operations in the Latrobe Valley have torn open the land, destroyed ecosystems, diverted waterways, contaminated groundwater and polluted the air that our Old Ancestors once breathed freely. Among the harms:

- Three open pit mines, which will always remain as scars, no matter what remediation activities are undertaken.
- The rupture of an ash disposal pipeline at Yallourn in 2015, that spilled 8.6 megalitres of toxic liquid into the Morwell River.
- The diversion, and the 2012 collapse, of the Morwell River into the Yallourn mine pit.
- The Hazelwood Mine Fire in 2014, which burned pollution into the air for forty-five days.
- Groundwater contamination plumes at Loy Yang and Hazelwood coal ash pits.

"The mine fire smelt toxic, like burning plastic. The coal ash got into your lungs and eyes. Your whole place smelt like burning coal."

- Gunaikurnai Traditional Owner, Morwell

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These events caused devastation not only to the land but to our long-term health, our culture and our spirit. Mining has also caused our people long-term health problems.

Decades of air pollution have put our children and elders at risk of respiratory diseases, and some of the most vulnerable members of our community have developed chronic illness from catastrophic events like the 2014 Hazelwood Mine fire.

In the places where mine voids are now exposed, our Old Ancestors once walked, fished, gathered and lived. These scars are a wound in Wurruk itself, a wound that cannot simply be filled in and forgotten.

"I worry about the emissions and what they have caused us over the years. What have been the long-term effects? The health of our people is already compromised. The pollution has also spread through the land and waters. We need to fix this."

- Gunaikurnai Traditional Owner, Moe

#### Rehabilitation or remediation?

Our Elders have told us that it's not right to use the word "rehabilitation" when talking about healing Country after coal mining. They told us that rehabilitation would mean restoring Country to its original state before coal mining, before European settlement – but we know that there will always be scars on this Country that tell the story of our land's dispossession. Instead, we choose to use the word "remediation" to describe the process of healing Country impacted by coal mining.

#### Our vision of healing Country

The Victorian Government has made clear that mine operators "are responsible for rehabilitating their sites to achieve safe, stable and sustainable final landforms to protect people, land, infrastructure and the environment".

GLaWAC supports this requirement. Every mining company must meet its legal, contractual, and moral obligations to remediate the damage they have caused.

However, safe, stable and sustainable final landforms are only a starting point, not the end game.

From a Gunaikurnai perspective, there is a fundamental lack of strategic direction when it comes to coal mine remediation planning. The regulatory system currently operates on a mine-by-mine approach, without regard for the cumulative damage inflicted across the broader cultural and ecological landscape.

Coal mine closures in the Latrobe Valley will change the physical landscape forever. But they also offer an opportunity to move beyond technical compliance and toward true healing of Country.

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We must heal not just the mine voids, but also the waterways, lakes, aquifers, ecosystems, animals, plants, skies, and communities that have been impacted by mining.

The Gunaikurnai Whole-of-Country Plan provides a blueprint for this broader vision. It sets out the principles, goals, and actions that honour Gunaikurnai knowledge, while safeguarding the future of Country for all who depend on it. In mine remediation, there is a further opportunity to use this cultural understanding in planning, design and landscape restoration.

This Position Statement asks Government, Industry and Community: How can we use the challenge of coal mine remediation to achieve the aspirations of the Gunaikurnai Whole-of-Country Plan?

## What does 'safe, stable and sustainable' mean to us?

For Gunaikurnai, the idea of 'safe, stable and sustainable' should be interpreted holistically. 'Safe, stable and sustainable' is not just about the footprint of the mine void, mine walls and mine lands, but about the footprints that mining leaves on all connected Country, including the rivers, lakes, and humans as part of Country. It is about the health of mob, about the wealth of coming generations, about the healing of all Country.

## Our principles for healing Wurruk

Principles	Goals
We have cultural obligations to Country	Goal 1: To have a strong, healthy and happy
	mob
Everything is connected, all Country is linked	Goal 2: To heal our Country
Every part of Country matters	Goal 3: To protect and practice our culture
Don't wait until it has gone	Goal 4: To be respected as the Traditional
	Owners of our Country
Look at what was there before	Goal 5: To have the right to use, manage and
	control our Country
Sustainable use	Goal 6: To be economically independent
Seek collective benefits	Goal 7: To have a strong focus on learning
We have the right to be on our Country	
Our traditional knowledge is valuable	

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# Our right to free, prior and informed consent:

Gunaikurnai people hold the right to Free, Prior and Informed Consent (FPIC) under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), to which Australia is a signatory.

#### We expect that:

- mine operators follow the minimum requirements for operationalising FPIC as articulated by the International Responsible Mining Assurance (IRMA) standard
- FPIC must guide all decision making about mine remediation.
- Gunaikurnai people must be decision makers, not merely participants.
- Consent must be genuinely obtained before any remediation plans are approved.

"My nan used to tell me stories about when the power station started up. She told us that she'd run into her bedroom and hide under the bed when they fired up the generators because of all the noise it made."

- Gunaikurnai Traditional Owner, Morwell

# Our priorities for remediation

Healing Wurruk after coal demands more than technical compliance. Remediating the Latrobe Valley mine sites presents significant risks to waterways, ecosystems, cultural heritage and communities. If managed poorly, remediation could entrench the harms of the past and create new risks for the future.

GLaWAC has established clear priorities to define what constitutes acceptable remediation on Gunaikurnai Country.

# Priority 1: Sustaining Yarnda, the lifeblood of Country

Yarnda (water) is sacred. Caring for Yarnda is caring for life itself. We assert that:

- **Position 1.1:** Gunaikurnai water country values, aspirations and objectives should be upheld through mine remediation.
- **Position 1.2:** Gunaikurnai water sovereignty in the Durt'Yowan (Latrobe River) must be realised through water returns and our participation in waterway monitoring, restoration and management, as detailed in the Gunaikurnai Nation Statement of the 'Water is Life Traditional Owner Access to Water Roadmap'.
- Position 1.3: The overall health of the Durt'Yowan (Latrobe River) catchment should be improved through ensuring: water from mine land into the catchment is of the highest quality with no contamination risk; environmental flows down to the Ramsar-listed wetlands and Gippsland

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Lakes are prioritised; waterway rehabilitation is invested in; and bulk water entitlements and licences are dynamic to account for climate change impacts.

- **Position 1.4:** Alternative water sources, stabilisation methods, and engineering solutions should be studied and considered to achieve the best possible outcomes for Country and community.

## Priority 2: Protecting and restoring our cultural heritage

Our cultural heritage, both tangible and intangible, is what connects us to our Old Ancestors and drives us toward a better future for our young ones.

- **Position 2.1:** Gunaikurnai cultural heritage must be identified, protected and restored during remediation works.
- **Position 2.2:** Cultural values must be restored to the landscape by overlaying Gunaikurnai traditional knowledge in remediation planning and design.

"You've got the galahs and the cockatoos now; you notice the difference over the years since the mine closed. It's changing for the better; there's more bird life and the dust has settled down."

— Gunaikurnai Traditional Owner, Morwell

## Priority 3: Caring for Country beyond the mine void

Mine remediation should heal Country, not take from Country, and not have any further negative impact on Country, now and in the future.

- **Position 3.1:** Remediation authorities, studies and plans should examine the cumulative impacts of all three mines on all connected Country beyond the mine lease sites, such as the Durt'Yowan (Latrobe River) catchment, Ramsar-listed Gippsland Lakes, and aquifers.
- **Position 3.2:** Remediation should safeguard keystone species and species of cultural significance to the Gunaikurnai, including Borun (Pelican), Tuk (Musk Duck), Noy Yang (Eel), Balagen (Platypus), Rakali (Australian Water Rat), Kine (Black Bream), Koortgan (Duck) and Gidai (Black Swan).
- **Position 3.3:** Remediation should safeguard sensitive, vulnerable, and endangered species such as the Australian Bass, Golden Bell Frog, Australasian Bittern, Growling Grass Frog, and the Australian Grayling.
- **Position 3.4:** Coal mine remediation must manage areas of potential contamination, such as coal ash deposits, following the highest social and environmental standards.

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"Our Ancestors have lived this land for thousands of years. The government digging up the earth and doing man-made destruction to our land for what benefit really? None of our people have been properly consulted, particularly our Elders. Messing with mother nature's beauty clearly has devastating impacts."

— Gunaikurnai Traditional Owner, Glengarry

### Priority 4: Creating a lasting legacy for the Gunaikurnai

If mine remediation is done well, we can create multi-generational social impact for the Gunaikurnai. Mining companies can make amends for past impacts on Country by delivering compensation to Gunaikurnai Traditional Owners, whether in the form of land returns, water justice, or financial compensation.

- **Position 4.1:** Mining companies should involve Gunaikurnai mob in healing Country by providing employment, training, procurement and business development opportunities during remediation.
- Position 4.2: Mining companies could return areas of land back to Traditional Owners following remediation. Such land may be areas of cultural sensitivity, areas of high ecological value, or land with significant economic potential. Returned land could be jointly managed with GLaWAC partners in some instances. Traditional owners should not be burdened with contaminated or unsafe land. Land returns should be made following adequate and participatory remediation.
- **Position 4.3:** A mechanism is established and supported to build wealth to enable future Gunaikurnai development opportunities on returned land. This could be in the form of an Aboriginal Future Fund. Future developments will be guided by self-determination. A range of community ideas were captured through the Federation University/CRC-TiME Indigenous community conversations.
- **Position 4.4:** Economic compensation for water used in mine remediation is negotiated, accounting for past and future harm to Country and the Durt'Yowan catchment.
- Position 4.5: Mine companies can help GLaWAC build its Natural Resource Management (NRM)
  business capacity through facilitating access to facilities, plant, equipment, training pathways
  and contracts.
- **Position 4.6:** Mining companies could source native vegetation stock and services through the Gippsland Seed Bank, a joint venture between GLaWAC, Habitat Creations and the MLRA.
- **Position 4.7:** As mining comes to an end, industry can collaborate with GLaWAC in renewable energy projects. GLaWAC aspires to participate in the transition to renewable energy to secure economic development and energy security for Gunaikurnai mob.

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"When you look at the wealth taken from the land since settlement, and when you look at the wealth given to our mob – there are billions of dollars created that we haven't benefitted from. I'm thinking about my grandchildren."

- Gunaikurnai Traditional Owner

### Priority 5: Resourcing Gunaikurnai leadership today

True partnership demands investment to meaningfully engage, participate and realise Gunaikurnai priorities in coal mine remediation. We require:

- **Position 5.1:** Dedicated funding to support GLaWAC roles in remediation, including River Rangers, community engagement and policy.
- **Position 5.2:** Long term agreements with mine operators and the State Government to ensure a Gunaikurnai voice at the table to guide future use of remediated lands and waters.

"Whatever happens in there (mine lands), we want a partnership."

-Gunaikurnai Traditional Owner

# Pathways to Partnership in mine remediation

We invite mine operators to engage with GLaWAC in a robust and meaningful way, partnering with Gunaikurnai Traditional Owners in healing Country after coal.

<u>Pathways to Partnership - Gunaikurnai and Major Projects</u>, sets out the framework to a future of inclusion, partnership and reconciliation grounded in action.

Mine remediation on Country cannot succeed without Gunaikurnai leadership.

A collaborative, culturally sensitive approach is not an option. It is essential to maximise economic opportunities for Gunaikurnai people, restoring the cultural values of the landscape, and honouring the obligations that mining companies and governments owe to this Country and its First Peoples.

Partnership is not charity, nor is it consultation. It is a necessary act to heal Country and Community and walk forward, responsibly and respectfully, together.