

5 February 2021

Mr Nick Wimbush
Chair of the Fingerboards Mineral Sands Project Inquiry and Advisory
Committee
Planning Panels Victoria
1 Spring Street
Melbourne Victoria 3000

By email: Fingerboards.IAC@delwp.vic.gov.au;

Dear Mr Wimbush

**Fingerboards Mineral Sands Project Environment Effects Statement (EES)
Centrifuge**

We continue to act for Kalbar Operations Pty Ltd, and refer to the correspondence sent by the legal representatives of Mine Free Glenaladale (**MFG**) to IAC earlier today seeking an adjournment of the hearing scheduled to commence on 15 February 2021.

As a starting point, we thought it would assist to inform the IAC of the materials we propose to file on Monday regarding the centrifuge proposal. We envisage this will include:

- Addendum statements from each of the expert witnesses for whom we filed statements earlier this week;
- An expert witness statement from Mr Ivan Salucik, a mining engineer, who will address the centrifuge proposal; and
- An updated (track change) Project Description (Chapter 3 of the EES) and updated project plans that will describe and depict how the centrifuges would be incorporated into the Fingerboards project.

Our client is also working toward revising the draft work plan included as Attachment B of the EES to remove the temporary tailing storage facility and integrate the centrifuge proposal. This will also be in track changes. While our client is working to try and have this ready by next Monday, in the interests of transparency we must inform the IAC that this may not be achievable. It should however be ready next week, and if the hearing proceeds on 15 February our client will do its utmost to provide this document to IAC and the parties as soon as practicable.

In accordance with the IAC directions, we are also on-track to provide our client's responses to the summary of EES submissions (Direction 27) and the

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majority of the IAC questions (Direction 28), as well as the Part A submissions (Direction 54).

Our client notes and accepts the IAC's remarks last Friday about the length of time taken in preparing the Fingerboards EES and the inconvenience an adjournment would cause to stakeholders and community members. We respectfully submit that while this is a very important consideration, it can never be a substitute for affording procedural fairness to all of the parties to the hearing.

Our client will be prepared to proceed with the hearing on 15 February 2021. It does not accept at present that to proceed would necessarily constitute a denial of procedural fairness to MFG or the other parties to the hearing, but accepts that this is ultimately a matter for the IAC.

Please contact the writer if you have any questions.

Yours sincerely,



Tim Power

Partner



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