



5 March 2021

Kalbar Operations Pty Ltd  
C/- White & Case Lawyers  
Via email.

Dear Mr Power

**Fingerboards Mineral Sands Mine EES Inquiry: Response to correspondence and email**

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In response to your correspondence of 26 February 2021 (Document 151) the Inquiry and Advisory Committee (IAC) provide the following:

**Direction 31**

1. *Kalbar does not consider that there is any information outstanding from Direction 59(a) or (b) of 29 January 2021. The information requested by Council is presented in the witness statement of Ivan Saracik dated 8 February 2021 as well as the supplementary witness statements filed by Kalbar's other experts. See in particular the witness statement filed by Jarrah Muller dated 8 February 2021.*

**IAC Response:** Noted.

2. *As for Direction 59(c) of 29 January 2021: (a) Kalbar is currently preparing a cross referenced document identifying the impacts of the use of centrifuges on all the EES study areas, as outlined in point 2 of Council's letter of 28 January 2021. Kalbar expects to be in a position to share this document with the IAC and the other parties by 8 March 2021; and (b) Kalbar will prepare a 'track changes' version of the EMF, together with the PSA and Incorporated Document by midday on 26 April 2021 in accordance with Direction 37.*

**IAC Response:** Noted.

3. *Kalbar filed technical notes 4, 7, 10 and 12 on 23 February 2021. The responses to the IAC's requests for information dated 11 December 2020 that are outstanding, are responses to questions 2, 9 and 114. Kalbar and 26 February 2021 2 ASIA 34496548 v1 0686929-0002 its experts are currently preparing responses to questions 2 and 114 and expect to be in a position to file these responses by 8 March 2021. In regard to question 9 regarding structural failure of the temporary storage facility (TSF), now that Kalbar no longer wants to pursue the TSF as an option (see response to Direction No. 58 below), the response to question 9 appears redundant. Would the IAC please confirm whether it still requires Kalbar to respond to this question?*

**IAC Response:** The IAC notes regarding question 9 (from RFI Document 16) that there are submissions before the Committee suggesting that the IAC should assess both the EES as exhibited and the centrifuge option. Whilst the IAC is content for this RFI question (9) to be held over for the moment, the need for this information will be finalised after consideration of the broader issue in the next few weeks.

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4. *Kalbar is currently preparing its revised draft work plan and expects to be in a position to share it with the IAC and the other parties by 8 March 2021.*

**IAC Response:** Noted.

**Direction 58**

*...We are instructed that Kalbar wants to proceed with the project as modified by technical note TN 01 – in other words, with centrifuges in place of the TSF.*

**IAC Response:** See response in relation to question 9 (RFI Document 16) above.

**Direction 46**

*Hearing timetable*

*In version 1 of the hearing timetable, the IAC allocated Kalbar 9 days to present its evidence and reply. Given that Kalbar has now filed evidence from 17 expert witnesses, we think that Kalbar will require more time than originally envisaged. We request that in version 2 of the hearing timetable, Kalbar be allocated 12 hearing days to present its case.*

**IAC Response:** Noted.

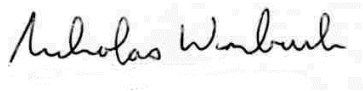
**Centrifuge RFI (Document 150)**

The IAC notes the question from Kalbar (see attached email) as to whether the question C7 has been adequately answered in supplementary evidence.

**IAC Response:** The IAC notes that Kalbar intends to rely on the evidence of Mr Muller (and particularly Appendix A to Document 132) in response to RFI C7. The IAC reserves the right to seek further information on the water balance issue through the Hearing process in response to outputs from expert witness meetings, evidence presentation and cross examination and submissions.

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

Yours sincerely



**Nick Wimbush**

IAC Chair

[Redacted]

**From:** McArdle, Michael [Redacted]  
**Sent:** Tuesday, 2 March 2021 5:40 PM  
**To:** Amy Selvaraj (DELWP)  
**Cc:** tim.power; Campbell, Kirsty  
**Subject:** Fingerboards - IAC RFI C7 (water balance)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**EXTERNAL SENDER: Links and attachments may be unsafe.**

Hi Amy,

We are preparing a response to the IAC's second Request for Information (RFI), dated 25 February 2021, including RFI C7, which reads '[the Proponent must provide] updated water balance which considers the use of centrifuges including updated estimates of surface water and ground water demand'.

This information requested in RFI C7 is covered in the supplementary witness statement of Jarrah Muller, which was sent to the IAC and parties on 8 February 2021. In particular, this information is set out in Appendix A of Jarrah Muller's supplementary witness statement.

Please could you advise whether, in its response to RFI C7, Kalbar may rely on this supplementary witness statement, and whether there is any other information that the IAC would like Kalbar to provide in response to this RFI?

Thank you and kind regards,

Michael

**Michael McArdle** | Associate

[Redacted]

White & Case | Level 32, 525 Collins Street | Melbourne VIC 3000

**WHITE & CASE**

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