

18 March 2021

By Email

To

Amy Selvaraj
Senior Project Officer
Planning Panels Victoria
Fingerboards.IAC@delwp.vic.gov.au

And To

All parties on the Evidence Distribution List

FOR THE ATTENTION OF NICK WIMBUSH, CHAIR

Dear Amy

Fingerboards Mineral Sands Project Inquiry and Advisory Committee (IAC)

We continue to act for East Gippsland Shire Council in the above matter.

We write to the IAC seeking a further direction regarding the expert witnesses' preparation of their conclave reports.

The IAC will be aware that the scope of the project has evolved significantly since the initial directions hearing on 14 December 2020. In particular, the Proponent's letter dated 18 January 2021 gave notice that centrifuges would be proposed to address errors in the assumptions relied upon in the exhibited EES. The IAC's directions subsequently required expert evidence to be prepared in two stages. The first stage related to the parties filing evidence with respect to the exhibited EES only and the second stage related to filing evidence with respect to the possible use of centrifuges.

Consistent with the IAC's directions, the evidence filed by the parties has adopted this structure.

The parties calling evidence have been endeavouring to agree on a template report that could be used by the witnesses to record the outcomes of their respective conclaves. Council sees merit in this approach. Unfortunately, the parties cannot agree on the form of the template report. The key difference between the parties is whether the template report should include a section where the witnesses record their areas of agreement and disagreement on the evidence that has been filed with respect to the exhibited EES in addition to the evidence relating to the centrifuges.

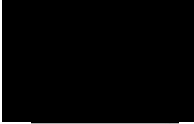
Council considers that the IAC (and the parties) will be assisted, and it is important for the IAC to understand, where the witnesses agree and disagree on the exhibited EES and separately with respect to the centrifuge option. Such an approach will not only be consistent with the manner that the evidence has been prepared and filed in this proceeding, but it will allow both the exhibited EES and the centrifuges to be considered in a transparent manner at the hearing.

For these reasons, Council requests that the IAC issues a direction that the conclave reports must identify the areas of agreement and disagreement between the relevant experts (including reasons) with respect to the:

1. exhibited EES; and
2. centrifuge option.

If you have any questions, please contact me.

Yours sincerely



Darren Wong
Principal

