



16 November 2020

As addressed

Dear Submitter,

Your submission to the Fingerboards Mineral Sands Project Inquiry and Advisory Committee (IAC)

Thank you for your submission to the above matter.

The Minister for Planning has appointed the Fingerboards Mineral Sands Project Inquiry and Advisory Committee (IAC) to consider submissions to the Environment Effects Statement (EES), draft planning scheme amendment (PSA) and the works approval application (WAA). The IAC comprises Nick Wimbush (Chair), Natasha Reifschneider (Deputy Chair), Meredith Gibbs and John Ginivan.

The Proponent for the Project is Kalbar Operations Pty Ltd (Kalbar).

Information about the IAC, including its Terms of Reference, can be found on the Engage Victoria website at: <https://engage.vic.gov.au/fingerboards-IAC>

The role of the IAC

The IAC will:

- hear submitters in an independent forum either face to face or through video conferencing
- be informal and not like a court
- give fair, unbiased advice to the Minister for Planning about the EES and draft planning scheme amendment, and to the EPA about the works approval application.

Submissions and other information presented throughout the process, including the Hearing, will be **treated as public documents** in accordance with the attached [Privacy Collection Statement](#).

Technical Expert

As provided for in clause 45 of the IAC [Terms of Reference](#), the IAC has engaged a specialist sessional member of Planning Panels Victoria to review the Radiation Assessment Report. The review will be made available to the Proponent and all parties before the Directions Hearing.

The IAC process includes a Directions Hearing and the Hearing.

Directions Hearing

At the Directions Hearing, the IAC will:

- give directions about exchanging information before the Hearing and the conduct of the Hearing
- consider Hearing times, format and site inspections
- answer questions people have about the IAC process including the Hearing.

Given the physical distancing restrictions in response to Novel Coronavirus Disease 2019 (COVID-19), the IAC Directions Hearing is not able to be conducted in person. It will be held by video conference using the Zoom video conference platform at:

10.00am, Monday 14 December 2020

You should attend the Directions Hearing if you:

- are new to the IAC process and wish to participate in the Hearing
- have questions about the IAC process or wish to raise procedural issues.

Individual Submitters including those who wish to raise a procedural matter or ask a question of the IAC at the Directions Hearing, must provide notice that you wish to speak and submit any questions in writing to the IAC by **12noon on Wednesday 9 December 2020** to Fingerboards.IAC@delwp.vic.gov.au.

A copy of the Directions issued by the IAC will be placed on the Engage Victoria website shortly after the Directions Hearing.

Accessing the Directions Hearing

The Directions Hearing link and it's login details can be accessed from the following Kalbar website:

<https://www.fingerboardsproject.com.au/ppv>

If you do not have access to a computer or mobile device or you cannot connect to a network for video and computer audio, you can join and participate in the Directions Hearing by telephone.

To dial into the Directions Hearing by **phone**, find your relevant dial-in [location number](#) based on your current location and access the Directions Hearing using the Webinar ID and password below:

Directions Hearing Webinar ID: 842 6699 2549

Directions Hearing Webinar Password: 615400

If you're dialling in from Victoria, +61 3 7018 2005 is the recommended number.

Note the dial in location phone numbers for other Australian locations are provided at the end of this letter.

To assist you in accessing and using Zoom, the [Your Guide to Using Zoom – How to participate in the online Hearing for the Fingerboards Project Environment Effects Statement](#) contains more detailed information on how to join the Directions Hearing, and what to do during the Directions Hearing. A walkthrough video on how to access and use Zoom is also available here: <https://www.fingerboardsproject.com.au/ppv/video-guide>.

The Zoom Directions Hearing link will be published on the Kalbar website above and will be accessible by the public who seek to observe the proceedings.

The IAC intends to record the Directions Hearing (audio only). Participants are prohibited from recording any part of the Directions Hearing in any form without permission from the IAC.

Note, if any technical issues occur during the Directions Hearing and you are unable to connect to the session, technical issues and updates will be posted here: <https://www.fingerboardsproject.com.au/ppv>.

Test Zoom session

Before the Directions Hearing, all parties and submitters are invited to a test Zoom session being run by the Proponent between **2.00pm to 5.00pm on Tuesday 1 December 2020**.

The session will be a drop-in style, so you can join anytime between those times and stay for as long as you need to test your connection to Zoom, your ability to use the Zoom functions and controls and receive support. Note, the IAC will not be present at the test Zoom Session (or staff from Planning Panels Victoria), its purpose is to enable you to be comfortable with the technology being used.

You can access the test Zoom session using the link and details below:

<https://us02web.zoom.us/j/85343436895?pwd=d1NJUU83azZlaStWMWUzZHVxYktYQT09>

Test zoom session Webinar ID: 853 4343 6895

Test zoom session Webinar Password: 001420

To dial into the test zoom session by **phone**, find your relevant dial-in [location number](#) based on your current location and access the test Zoom session using the **same Webinar ID** and **password above**.

If you're dialling in from Victoria, +61 3 7018 2005 is the recommended number.

Note the dial in location phone numbers for other Australian locations are provided at the end of this letter.

Technical Assistance

If you require technical assistance joining or need support at the test Zoom session or the Directions Hearing, please contact the Proponent's dedicated phone line on 1800 791 396. This phone number will be active during all business hours (Monday to Friday 9am to 5pm) for the test zoom session and Directions Hearing.

Hearing

The Hearing is for people to speak to their written submission. The Hearing will start on **Monday 1 February 2021** and should run for approximately for four to six weeks. The IAC is aware there may be a request to start the hearing in mid-February 2021, but this will be discussed at the Directions Hearing.

The Hearing is open to the public at all times, and anyone can view the proceedings.

Due to the current coronavirus pandemic and physical distancing restrictions, the Hearing may be held by video conference using the Zoom platform or in person or a combination of both. In addition, if the Hearing is in person, parts may be held locally near Bairnsdale or Melbourne or a mix of both depending on circumstances. The hearing type and location will be considered by the IAC at the Directions Hearing. The IAC will follow all health advice of the Victorian Government and the Chief Health Officer.

The Hearing order will be confirmed at the Directions Hearing but is likely to be:

- The Minister for Planning
- Kalbar Operations Pty Ltd (Kalbar) (Proponent)
- Government departments and agencies
- Local councils
- Community groups
- Individual submitters.

All submitters who have requested to be heard in regard to their submission, will be allocated a time to present to the IAC. The IAC will consider all written submissions when preparing its report, including those from submitters who do not wish to speak to their submission at the Hearing.

Hearing Timetable

The IAC will prepare a Timetable for the Public Hearing based on the information provided on the online submission form or submission coversheet that was provided with your submission. A timetable will be sent to those submitters who requested to be heard at the Hearing and those submitters who requested to be kept informed of the timetable. The timetable will also be available on the Engage Victoria website. The IAC may limit the time of submissions if necessary, to ensure the Hearing is conducted in an efficient and effective manner.

How will my contact information be used?

We will use your contact address to contact you in accordance with the attached [Privacy Collection Statement](#). We may provide your email or postal address to participants in the Hearing so that they can share reports and submissions unless you tell us otherwise.

In addition, we may also provide Kalbar's Technical Assistance Team the email addresses of those submitters who have requested to be heard at the public hearing. This is to ensure those submitters have direct access to the 'presenter' status on relevant days which allows you to become an active member in the Hearing.

Can I view all the other submissions?

Before the Directions Hearing, all submissions will be published on the Engage Victoria website, unless a submitter specifically requested it not be published.

In late September 2020, the Minister for Planning wrote to the IAC advising we are to accept an endorsed submission from East Gippsland Shire Council if it is lodged with the IAC by **10 am on Friday 11 December 2020**, provided council officers lodge an initial submission by the close of the public exhibition period on 29 October 2020. The extension was to allow the newly elected council to make a formal council resolution to endorse a final submission on the Project.

The IAC can confirm that East Gippsland Shire Council has provided an interim submission (Submission 716). Parties will be notified when the Councils endorsed submission has been lodged with the IAC.

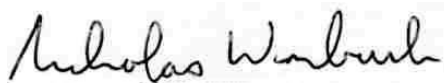
Further Information

Further information for submitters on the matter and the IAC process is available on the Engage Victoria website at:

<https://engage.vic.gov.au/fingerboards-IAC>

If you have any other questions, please contact Amy Selvaraj, Senior Project Officer at Planning Panels Victoria on Fingerboards.IAC@delwp.vic.gov.au or call 136 186.

Yours sincerely,



Nick Wimbush

Inquiry and Advisory Committee Chair

PRIVACY COLLECTION STATEMENT

Fingerboards Mineral Sands Project Inquiry and Advisory Committee

This Privacy Collection Statement relates to all submissions collected in relation to the Fingerboards Mineral Sands Project Inquiry and Advisory Committee (the 'IAC'). Planning Panels Victoria (PPV) is providing administrative services to the IAC.

PPV is part of the Department of Environment, Land, Water and Planning and submissions will be managed in accordance with the Department's Information Privacy Policy. The Department's Information Privacy Policy is online at <https://www2.delwp.vic.gov.au/doing-business-with-us/information-privacy>.

Use of your submission

Your submission has been collected by the IAC for the purpose of helping to develop its advice to the Minister for Planning in accordance with the Terms of Reference.

Natural justice to participants and transparency are important parts of the IAC process. In meeting its legislative requirements and complying with the Terms of Reference, the IAC may do the following with your submission:

- Publish a copy of your submission, in its entirety, on the Department of Environment, Land, Water and Planning website, Engage Victoria website or other Victorian Government website as required
- Provide a copy of your submission to the Department of Environment, Land, Water and Planning, Local Councils, Kalbar Operations Pty Ltd, EPA Victoria, Government Agencies and other parties (submitters) to the process
- Provide a copy of your personal contact details to the Department of Environment, Land, Water and Planning and EPA Victoria if needed for notification of Ministerial decisions
- Display a copy of your submission in the Planning Panels Victoria Office
- Display a copy of your submission at relevant Local Council, Local Library or Government Offices as appropriate
- If a Public Hearing is to be held, display a copy of your submission in the Hearing room.

Publication of your personal information on the Internet

The IAC Report will be published on the internet and may include:

- The name of the submitter
- Direct quotes from some of the submission
- The submitter's name and address as required.

Planning Panels Victoria will remove your submission from the web pages that it controls within six months after the IAC has reported. Planning Panels Victoria cannot guarantee that your submission will be removed from external web pages outside its control.

Hearing of submissions

If a Hearing is required it may be held face to face, via telephone conference or via video link or a combination of these. You should be aware the IAC may:

- broadcast submissions and proceedings live on the internet
- record submissions and proceedings
- make the recording available on request to submitters and parties to the Hearing and third parties
- publish the recording on the Department of Environment, Land, Water and Planning website, Engage Victoria website or other Victorian Government website
- use your phone contact details to contact you during a telephone/video hearing as is necessary.

The IAC will direct that parties do not record online hearings or use them for any other purpose. However, the IAC is unable to guarantee that third parties will not be recording online Hearings, and the use of any such recordings outside the hearing context cannot be regulated by the IAC.

All participants are reminded that during the IAC process, the privacy of others should be respected and to refrain from the defamation of others.

After the Inquiry and Advisory Committee has reported

After the IAC has reported to the Minister for Planning your submission will be removed from all public display within six months.

Your original submission and any additional material provided to the IAC will be held at Planning Panels Victoria for two years and then sent to the Public Records Office of Victoria. All additional copies of the submission and other material held by Planning Panels Victoria will be securely destroyed.

If you have any concerns in respect to the way your personal information or submission will be used please contact Planning Panels Victoria on Fingerboards.IAC@delwp.vic.gov.au.

Joining the Directions Hearing by Telephone

If you do not have access to a computer or mobile device or you cannot connect to a network for video and computer audio, you can join and participate in the Directions Hearing by telephone.

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+61 8 7150 1149

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+61 7 3185 3730

+61 8 6119 3900