

20 April 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

**Inquiry and Advisory Committee (IAC)
Fingerboards Mineral Sands Project (Project)**

We refer to the correspondence from White and Case of 9 April 2021 attaching Technical Note TN016 *Water Infiltration Rate Monitoring and Soil Data Results*.

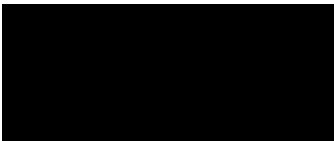
We note that, by virtue of the timing with which this document is delivered, it appears that the Proponent's witness Mr Loch has long had access to the information it contains, but other experts who are shortly to produce conclave reports in accordance with Direction 21 do not.

We note that the information provided is explicitly linked to the evidence of Mr Loch but may have implications for other experts called on behalf of our client who are currently in the process of producing expert conclave reports.

Our client objects to the manner and timing of provision of this information and the absence of an opportunity to confer with their respective experts about this information.

The manner and timing of provision of this information undermines the value of the conclave process and the ability of the IAC to consider the matters before it and to afford procedural fairness to the parties.

Yours sincerely



Darren Wong
Principal

