



# **Guide to the Fingerboards Mineral Sands Project Inquiry and Advisory Committee**

Presenting to the Inquiry  
and Advisory Committee



# Public Hearing process

## Public Hearing

The Hearing gives submitters the opportunity to talk about their submission and highlight or expand on any key points for the Inquiry and Advisory Committee (IAC). In order to do this, submitters must have indicated on their submission form that they wish to be heard at the Hearing, and they are then included on the Hearing timetable. The Hearing is open to the public to observe.

If you do not present at the public hearing your written submission will still be considered by the IAC.

## How will COVID-19 impact the conduct of the hearing?

The IAC will follow the health advice of the Victorian Government and the Chief Health Officer.

The Hearing is proposed to be held via a combination of video conference using the Zoom platform and Hearing local submitters in Bairnsdale. The hearing type and location is subject to change depending on COVID-19 and other requirements.

## Expert Witnesses

An expert witness has specialised knowledge from training, study or experience and gives evidence in a field of expertise. Evidence usually includes facts relating to the Project and may include the opinions of a person based on their expertise. This can include data modelling, photographs and other visual presentations.

A number of parties and submitters are calling expert evidence, and these are shown on the Hearing Timetable.

The expert witnesses have provided expert witness statements which are included in the Tabled Documents on the Engage Victoria website. The IAC has directed that expert witnesses in the same technical areas meet to discuss the key issues and to identify (and if possible, reduce) areas of disagreement in the Hearing. These meetings occur without representatives or other observers in the room to ensure an independent witness process as well as an efficient hearing process. A report from the expert meetings (an Expert Meeting Statement) will be circulated prior to the Hearing commencing.

The IAC may provide an opportunity to parties and submitters to ask questions of witnesses at the Hearing, a process called cross-examination. Expert Witness' must be made available for cross-examination at the Public Hearing. The IAC may limit the form of questions and the time requested by all parties through cross-examination. More information on who can be questioned at the hearing is outlined further below.

## IAC technical expert

The IAC has engaged its own technical expert in the field of radiation and the written report they provided has been tabled (Tabled Document 9).

## Site inspection

The IAC has inspected the Project area on a number of occasions to assist it in its consideration of the effects the Project may have on the existing environment and on properties nearby. It also helps it to understand the evidence filed and the submissions made.

## Main Hearing

The Hearing allows for:

- The Proponent to set out their case in full and provide evidence in support of the Project
- Municipal Councils, agencies, community groups and submitters to speak to their written submissions and call evidence if required

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

All submitters who have requested to be heard will be allocated a dedicated time (which may be a particular date, and the morning or afternoon session) to present to the IAC.

The IAC has prepared a timetable for the main Hearing based on the information provided on the online submission form or submission coversheet that was provided with your submission.

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.

## Report

Following the completion of the public Hearing, the IAC must provide a written Report with recommendations and advice to the Minister for Planning. In accordance with the Terms of Reference for the Fingerboards Mineral Sands Project, the report must be provided to the Minister within 40 business days of the last Hearing day.

The Minister for Planning will then assess the environmental effects of the Project. Once complete, the Minister's Assessment is considered by the decision-makers concerning the draft Planning Scheme Amendment, Works Approval application and other project approvals required.

## When will the Inquiry and Advisory Committee's report be available to the public?

The Minister for Planning will decide on the release of the IAC report to the public.

## Speaking at the Hearing gives you the chance to speak in support of your written submission to the IAC

### What does presenting at the Hearing involve?

The IAC will have already read your written submission lodged through the exhibition period in 2020 prior to the Public Hearing. You don't need to read it out again at the Hearing.

Your presentation or oral submission to the IAC will enable you to expand on the points you have made in your original written submission and address other matters such as the centrifuge, or place emphasis on particular points of importance. The IAC may also ask questions about your submission.

You may highlight particular concerns you have or elements of the proposal you would like to see altered. You may also provide comment about the expert witness reports or the submissions that will be filed by the Proponent or the submission of the municipal councils and statutory authorities.

You may wish to have someone else present on your behalf such as a family member, friend, neighbour or professional representative.

### How to prepare for the Hearing

#### Consider writing down what you want to say.

- It is a good idea to prepare written speaking notes to read out at the Hearing. Your presentation or oral submission should identify what is of particular concern to you about the Project, the specific reasons why, and what, if anything about the Project you would like to see changed with the proposal. You may include examples that illustrate your key points using photographs or plans.
- Writing down what you want to say will help you convey your key messages in a logical order. It will also give you a document that you can provide to the IAC at the Hearing. You can read from all, or part of your document at the Hearing. This will ensure that you address all the points you wish without repetition.

#### Practise reading out or presenting your submission

- You want to get it right and to look confident and comfortable. Practising will make sure you do. Be mindful of the time and speak within the time

allocated to you. Extensions of time are generally not possible.

#### Attend another public hearing (if possible)

- To help you get a feel for the process, try to attend any Planning Panel Victoria hearing beforehand to see how it works. Current hearings can be found on the Planning Panel Victoria website here: <https://www.planning.vic.gov.au/panels-and-committees/browse-panels-and-committees>

#### Presenting on your allocated day

You should give the IAC a presentation that is clear and focused. The best way to do this is to keep your presentation simple, speak clearly and be yourself.

You can expect the IAC to treat you with respect and to put you at ease. You should also treat them and others in the Hearing with respect.

On the day you are scheduled to present, ensure you log in with plenty of time or if attending in person, you will need to be present at the hearing venue at least 20 minutes before your allocated presentation time.

When it is your turn to present, you will be invited to speak by the IAC Chair.

The IAC Chair will introduce themselves and the other IAC members. When making your submission or raising other matters you should refer to the IAC Chair as "Chair" or Mr Wimbush. Other members should be referred to as Ms Reifschneider, Mr Ginivan or Ms Gibbs. Their names will be visible to help you know who each of the members are.

You must finish your whole presentation during the time allocated to you. If you run out of time, any written material you have prepared but not presented in your allocated time can be provided to the IAC and will still be considered by the IAC.

**Tip:** If you are delayed or cannot make it for any reason it is important that you contact Planning Panels Victoria as early as possible, so we can inform the IAC Chair and ensure any delays to the Hearing are minimised.

## Documents

The IAC has a copy of your original submission, so you do not need to resubmit it to the IAC during the course of the Hearing.

If you have other documents to present to the IAC (additional written document or MS PowerPoint presentation) you will need to provide an electronic copy to Planning Panels Victoria **one** clear business day prior to your nominated submission time, as presented in the Hearing timetable in accordance with the Direction 57 of the IAC consolidated directions dated 19 February 2021. The IAC consolidated Directions are available in the Tabled Documents on the Engage Victoria website (Tabled Document 144).

During your presentation, if the Hearing is held in person you will have access to a computer and data projector. If held by video conference you will be able to share your screen to display a MS PowerPoint Presentation or document.

All information received by the IAC during the Hearing is treated as a public document and will be viewed during the Hearing and published on the IAC's Engage Victoria website.

### Who can be questioned at the Hearing?

The IAC may ask questions of the Proponent, any submitter, lawyers, or witnesses during the Hearing.

Only the IAC can ask you questions. These questions will usually seek extra information about specific points you have mentioned, to make sure they understand you. The IAC might also ask you if the Project could be changed to respond to your concerns.

Only expert witnesses can be questioned by the Proponent and submitters at the Hearing (this is called "cross-examination"). Cross examination tests the rigour and validity of a witness's evidence. It is limited to you asking questions of the expert about their evidence – including their Expert Witness Report and any evidence they have given at the Hearing. It is not the time for you to make comments or statements.

The IAC's consolidated directions (Directions 23 – 27) provide more information on who can question expert witnesses and the format of those questions. The IAC consolidated Directions are available in the Tabled Documents on the Engage Victoria website (Tabled Document 144).

### Keeping you updated

All updates about the IAC process are provided on the Engage Victoria project site at

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

- the Directions of the IAC and any updated or new directions
- the Hearing timetable and all tabled documents
- Latest updates during the course of the Hearing, confirming who will be appearing and any delays or changes to the published timetable
- recordings from the Directions Hearing and Hearing

### Checklist for presenting at the hearing

**The hearing provides submitters with a chance to have a say and participate in the planning decision-making process. Keep the following points in mind when making your presentation at the hearing:**

- Begin your preparation early and think about the key messages you want to make.
- Practice reading your presentation or speaking notes before the hearing. If there is a time limit, make sure you will be within it.
- Arrive at the hearing in plenty of time.
- Speak slowly and clearly.
- Introduce yourself and/or your organisation. If you are representing an organisation, state what your role is in the organisation, the organisation's objectives, activities and the membership base.
- Keep to the point. Clearly state your concerns and provide information to support your point of view.
- Speaking to two or three key points can be better than trying to rush through many issues.
- Speak from your notes and written submission if you are nervous or not used to speaking in public.
- Avoid repeating what others have said but acknowledge where you agree with it.

### Questions or 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 Ms Amy Selvaraj, Senior Project Officer of Planning Panels Victoria at:  
[Fingerboards.IAC@delwp.vic.gov.au](mailto:Fingerboards.IAC@delwp.vic.gov.au)

