



# Planning Panels Victoria

Department of Transport and Planning

1 Spring Street  
Melbourne Victoria 3000  
GPO Box 2392  
Melbourne, Victoria 3001  
Telephone (03) 8624 5712

1 June 2023

Dear Submitter,

## **Avonbank Mineral Sands Project Inquiry and Advisory Committee**

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We are writing to you because you made a submission to the Avonbank Mineral Sands Project Inquiry and Advisory Committee (IAC).

The Minister for Planning has appointed the IAC to consider and advise on the Environment Effects Statement (EES), draft Horsham Planning Scheme Amendment C84hors (draft PSA) and submissions received in response to public exhibition of the Avonbank Mineral Sands Project.

The IAC comprises Lisa Kendal (Chair), Phil West and Catherine Wilson. The work and scope of the IAC is guided by Terms of Reference issued by the Minister for Planning. Information about the IAC, including its [Terms of Reference](https://engage.vic.gov.au/avonbank-iac), can be found on the Engage Victoria website at: <https://engage.vic.gov.au/avonbank-iac>

## **The role of the IAC**

The IAC will give fair, unbiased, independent advice to the Minister for Planning about the EES and draft PSA.

The Minister's Assessment under the *Environment Effects Act 1978* will be considered by a range of decision makers relating to statutory approvals required for the Project.

## **The IAC process**

The IAC process includes a Directions Hearing and the Hearing.

### **Directions Hearing**

The Directions Hearing will be held as an online Zoom Webinar at **10.00am, Friday, 16 June 2023**

The Directions Hearing can be accessed using the following Zoom link:

**<https://zoom.us/j/96311726147>**

**Directions Hearing Webinar ID: 963 1172 6147**

Further details on how to join the Directions Hearing by Zoom are provided in **Attachment 1**.

### **What will happen at the Directions Hearing?**

At the Directions Hearing, the IAC will:

- discuss and make arrangements for the Hearing, including finalising the dates and format
- give directions about the conduct of the Hearing and the exchange of information, including expert witness reports
- discuss site inspections

#### **Privacy Statement**

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Transport and Planning, PO Box 500, East Melbourne, Victoria 8002

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- consider any procedural issues
- answer questions people have about the IAC process.

### Who should attend the Directions Hearing?

You should attend the Directions Hearing if you:

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

### If you wish to speak at the Directions Hearing

If you wish to speak or ask questions at the Directions Hearing, please let Planning Panels Victoria know in advance by emailing [Planning.Panels@delwp.vic.gov.au](mailto:Planning.Panels@delwp.vic.gov.au) by **12 noon on Wednesday 14 June 2023**. This will ensure you are made a 'presenter' during the Directions Hearing so you can speak and turn your camera on.

### If you wish to raise a procedural matter

If you wish to raise a procedural matter at the Directions Hearing, please provide advanced notice by emailing [Planning.Panels@delwp.vic.gov.au](mailto:Planning.Panels@delwp.vic.gov.au) by **12 noon on Wednesday 14 June 2023** with details of the matter you wish to raise.

### Technical Support

The Proponent, Wim Resource Pty Ltd, will provide technical support for Directions Hearing. If you experience technical issues or need technical assistance to connect, please call the Proponent's technical support on the day of the Directions Hearing on 1-800-409-422 between 9.30am and before the close of the Directions Hearing. You can also email for assistance on [itech@wimresource.com.au](mailto:itech@wimresource.com.au).

### Hearing

At the main Hearing, the IAC will hear from submitters, the Proponent, the Traditional Owners (if interested in participating) and government agencies in an open and independent forum. The Hearing will be informal and not like a court.

The Hearing will commence in the week beginning **Monday 31 July 2023** and is expected to run for up to four weeks. The IAC will generally sit Monday to Thursday each week.

All submitters who have requested to be heard by the IAC are parties to the Hearing and will be allocated a time. The IAC may need to limit the time of submissions to ensure the Hearing is conducted in a fair and efficient manner.

Hearing arrangements will be discussed at the Directions Hearing. It is proposed to conduct the Hearing as a mix of hybrid (in-person and online) and online sessions. In-person sessions will be held in a suitable venue in Horsham equipped with technology allowing people to participate in-person or online. The hybrid sessions may take place during the first week of the Hearing to hear the Proponent's opening submissions or later in the Hearing to hear from local submitters.

Note: 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.

### Site inspection

The IAC's site inspection will be discussed at the Directions Hearing.

### Summary of key dates and Hearing order

The following attachments are provided for discussion at the Directions Hearing:

- a summary of proposed key dates for the pre-Hearing steps (**Attachment 2**)
- a proposed order of appearances at the Hearing (**Attachment 2**).

Parties may also provide comments on these before the Directions Hearing in writing to [Planning.Panels@delwp.vic.gov.au](mailto:Planning.Panels@delwp.vic.gov.au) by **12 noon on Wednesday 14 June 2023**.

The IAC will finalise the key dates and timetable and issue final written directions after the Directions Hearing.

### **IAC hearings are public**

The IAC Directions Hearing and Hearing proceedings are public. Anyone who wants to observe will be able to do so. Links to the Directions Hearing and Hearing will be published on the Engage Victoria website.

### **Documents are public**

Submissions and other information presented throughout the process, including at the Hearing, will be treated as public documents. Please note the [Privacy Collection Statement](#) in **Attachment 3**, which submitters were required to acknowledge when lodging their submissions.

The attached [Privacy Collection Statement](#) explains how your submission will be used by the IAC.

### **Can I view other submissions?**

Submissions will be published on the [Engage Victoria website](#) before the Directions Hearing. Parts of some submissions have been redacted for privacy reasons, but please note the IAC have been provided full copies of all submissions.

### **IAC hearings will be recorded**

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

### **Further Information**

Further information on the proposal and the IAC process is available on the Engage Victoria website at: <https://engage.vic.gov.au/avonbank-iac>

General information about hearings including the *What is a Planning Panel?* guide, *How public hearings work* guide are available at: <https://www.planning.vic.gov.au/panels-and-committees/planning-panel-guides>

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

Yours sincerely,



**Lisa Kendal**

Chair, Avonbank Mineral Sands Project Inquiry and Advisory Committee

# Attachment 1 - Joining the Directions Hearing

Avonbank Mineral Sands Project Inquiry and Advisory Committee

## Joining the Directions Hearing by Zoom

Parties and interested observers can access the Directions Hearing using the following link and details below:

<https://zoom.us/j/96311726147>

Directions Hearing Webinar ID: 963 1172 6147

## Information for participants

### Identifying yourself

Participants will be identified in the participant list. Please use your first name and last name so the IAC can easily identify you. If you are representing an organisation, include the organisation name after your name – for example, “Lisa Kendal, Chair Inquiry and Advisory Committee”.

Instructions on how to set your display name can be found here under the heading “How to change your name on Zoom”: <https://support.zoom.us/hc/en-us/articles/8715431556621-Changing-your-name-on-Zoom>

### Speaking at the Directions Hearing

All people who join the Directions Hearing by default will be an ‘attendee’ where you will be able to see the IAC members and participants but your camera and microphone will not be active.

If you wish to speak or ask questions at the Directions Hearing, please let Planning Panels Victoria know in advance by emailing [Planning.Panels@delwp.vic.gov.au](mailto:Planning.Panels@delwp.vic.gov.au) by **12 noon on Wednesday 14 June 2023**. After you join the Directions Hearing, you will be made a ‘presenter’ so you can speak, turn your camera on or screen share (if required). **You will receive a prompt and will need to confirm you want to be made a ‘presenter’.**

The IAC will invite the key parties to speak or to answer any questions at the appropriate time. The Chair will call your name when it is your turn to speak. Please turn your microphone and camera on when it is your turn.

### ‘Raise your hand’ button

If you need to raise something with the IAC or ask a question at any other time, please use the ‘raise your hand’ function (for a PC, this is located under the ‘reactions’ icon). The IAC Chair will let you know when you can speak.

If you are an ‘attendee’, at an appropriate time **you will receive a prompt and will need to confirm you want to unmute yourself.** The Chair will then establish your identity and will let you know when you can speak.

### Chat function

The chat function has been disabled for this Directions Hearing. If you wish to speak, use the raise your hand function.

## Information for observers

Observers at the Directions Hearing will remain as ‘attendees’ and will not be able to participate, their camera and microphone will be off during the Directions Hearing.

## Technical Assistance

If you experience technical issues joining or need support during the Directions Hearing, please contact the Proponent's (Wim Resource Pty Ltd) technical support on the day of the Directions hearing on 1-800-409-422 between 9.30am and the conclusion of the Directions Hearing. You can also email for assistance on [itech@wimresource.com.au](mailto:itech@wimresource.com.au).

A [Zoom webinar guide](#), to assist you in accessing and using Zoom can be found on the Engage Victoria website in the Documents folder [here](#).

## 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 suitable for video conferencing, 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 following log in details:

**Directions Hearing Webinar ID:** 963 1172 6147, followed by the '#' key

If you're dialling in from Victoria, 03 7018 2005 is the recommended number.

The dial in location numbers for other Australian locations are:

+61 8 7150 1149

+61 2 8015 6011

+61 7 3185 3730

+61 8 6119 3900

## Attachment 2 – Summary of key dates and Hearing order

Avonbank Mineral Sands Project Inquiry and Advisory Committee

The following information is provided for discussion at the Directions Hearing. Parties may also provide comments in writing to [Planning.Panels@delwp.vic.gov.au](mailto:Planning.Panels@delwp.vic.gov.au) by **12 noon on Wednesday 14 June 2023**.

### Summary of key dates

The following dates are proposed:

Time	Date	Action
12 noon	Tuesday, 20 June 2023	Parties wishing to be added to the Distribution List (to receive direct email notification when material is uploaded to the online document sharing platform) must notify Planning Panels Victoria
12 noon	Monday, 26 June 2023	All parties who have not already done so must confirm the details of expert witnesses
12 noon	Wednesday, 28 June 2023	Proponent must provide draft site inspection itinerary and map(s) to anyone on the Distribution List for the accompanied site inspection
12 noon	Tuesday, 4 July 2023	Parties wishing to may nominate any additional locations for the site inspection by circulating the information to anyone on the Distribution List. Parties wishing to attend the accompanied site visit must nominate attendees.
12 noon	Monday, 10 July 2023	Proponent must provide final site inspection itinerary and map(s) incorporating parties' nominations to anyone on the Distribution List.
12 noon	Wednesday, 12 July 2023	Proponent must circulate its Part A submission
12 noon	Thursday, 13 July 2023	Proponent must circulate its Expert Witness Reports
12 noon	Thursday, 20 July 2023	All other parties calling evidence must circulate their Expert Witness Reports
12 noon	Week commencing Monday 24 July 2023 Statements due prior to hearing commencing	Meeting of like Expert Witnesses (if required)
12 noon	Thursday, 27 July 2023	The Proponent must provide Part B submission and Day 1 versions of Project Documentation
10 am	Tuesday, 1 August 2023	Hearing commences
1 day	Thursday, 3 August 2023	Accompanied site inspection

### Proposed Hearing order

Party	Session
Wim Resource (Proponent)	Project overview presentation
Department of Transport and Planning Impact Assessment Unit	Overview of EES process leading up to appointment of the IAC
Wim Resource	Main submissions and evidence
Barengi Gadjin Land Council Aboriginal Corporation	Submissions (if interested in participating)
Government departments and agencies - Department of Energy, Environment and Climate Action (DEECA) - Grampians region	Main submissions
Horsham Rural City Council	Main submissions

Parties calling independent expert evidence (order to be confirmed) - individual submitters	Main submissions and evidence
Community groups	Main submissions
Individual submitters	Main submissions
Wim Resource	Closing submissions

### Avonbank Mineral Sands Project Inquiry and Advisory Committee

Your personal information will be collected during the Avonbank Mineral Sands Project Inquiry and Advisory Committee (IAC) process for the purposes of:

- documenting your views about the proposal
- advising the Minister for Planning (the Minister) about the proposal, the Environment Effects Statement (EES) and applications for project approvals
- communicating with you throughout the IAC process.

Planning Panels Victoria (PPV) is providing administrative support to the IAC.

#### While the Inquiry and Advisory Committee process is underway

Natural justice for all participants and transparency are important parts of the Panel process. The IAC's Terms of Reference require it to publish submissions online, conduct any Hearing it holds in public, and to keep a public record of the material provided to the IAC. PPV will publish a copy of your submission and other material you may provide on a website (your contact details will be redacted first). PPV may also:

- provide a copy of your submission or any other material you provide with all contact details to the Proponent (WIM Resource Pty Ltd), government agencies (Department of Transport and Planning (DTP), Horsham Rural City Council), Barengi Gadjin Land Council Aboriginal Corporation and other parties to the Hearing
- provide a copy of your submission to any other person who requests it (your personal information will be removed first)
- provide a copy of your submission to the Department of Transport and Planning (DTP) if needed for preparing Ministerial briefings
- publicly display a copy of your material in the PPV Office or Hearing room, if the Hearing is held in person.
- direct that a copy of your material be publicly displayed in the relevant Local Council Office or DTP Regional Office.

#### Hearings (Directions Hearing and Hearing)

The IAC may conduct a Hearing, either in person or by video conference. Hearings by video conference have special privacy requirements. If you choose to participate in the Hearing, you should be aware:

- a link to the Hearing will be published on the internet, and third parties will be able to join the Hearing and observe
- the IAC may broadcast the Hearing live on the internet.

The IAC may record the Hearing and may provide a copy of any recording to parties to the Hearing and third parties who request it, or may publish the recordings online. Where Hearings are recorded, generally audio only is recorded (not video). No person may record the Hearing or any part of it without the express permission of the IAC.

The IAC can hear submissions or accept material on a confidential basis, provided this would be fair to the other parties to the Hearing. If you want to make your submissions or provide material to the IAC confidentially, you will need to ask permission from the IAC Chair in writing through PPV and provide reasons why the IAC should treat your submissions or material confidentially.

#### The Inquiry and Advisory Committee Report

The Minister may release the IAC's report publicly. The report will include a list of the names of submitters, and a list of the names of the parties to the Hearing. It may also include direct quotes from submitters or parties. If released, the report will be published on the internet.



### After the Inquiry and Advisory Committee has reported

After the IAC has reported to the Minister, your material will be removed from public display. PPV cannot guarantee that your submission will be removed from external web pages outside of its control.

### Requesting copies

If you would like a copy of any submissions or material collected by the IAC, or a copy of any recording the IAC makes of the Hearing, please request this from PPV by email at [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au) before the IAC submits its report. If the IAC has reported, you should submit your request to the Department of Transport and Planning Freedom of Information Unit at [FOI@transport.vic.gov.au](mailto:FOI@transport.vic.gov.au).

If you have any concerns in respect to the way your personal information or submission or other material will be used please contact PPV on (03) 8624 5719 or [planning.panels@delwp.vic.gov.au](mailto:planning.panels@delwp.vic.gov.au).