



Planning Panels Victoria

Department of Transport and Planning

1 Spring Street
Melbourne Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Telephone (03) 5381 9457

18 July 2024

Dear Submitter

Marinus Link Project

We are writing to you because you made a submission on the Marinus Link Project.

The Project requires assessment under Victorian, Tasmanian and Commonwealth legislation.

The Proponent (Marinus Link Pty Ltd) has prepared a combined draft Environmental Impact Statement (EIS) and Environment Effect Statement (ESS) for assessment under Commonwealth and Victorian legislation. Assessment under Tasmanian legislation will be done separately, pursuant to separate documentation.

The Inquiry and Advisory Committee

The Victorian Minister for Planning has appointed the Marinus Link Victorian Inquiry and Advisory Committee (IAC) to advise on the impacts of the Project on the Victorian environment. The IAC comprises Sarah Carlisle (Chair), Tim Hellsten (Deputy Chair), Sandra Brizga, Ian Hamm and Colin McIntosh.

The IAC is assessing impacts on the Victorian environment only. It is not assessing impacts on the Commonwealth or Tasmanian environments.

The IAC will consider:

- the combined EIS and EES insofar as it relates to impacts on the Victorian environment
- draft Amendment GC217 to the Latrobe and South Gippsland Planning Schemes (PSA), which proposes to facilitate the Project in Victoria
- public submissions that relate to impacts on the Victorian environment and the PSA.

The IAC will give fair, unbiased independent advice to the Minister for Planning about the Project's impacts on the Victorian environment, to inform her assessment of the Project under the *Environment Effects Act 1978* (Vic). It will also provide independent advice on the draft PSA.

The Minister for Planning has approved [Terms of Reference](#) that guide the scope of the IAC's work. Information about the IAC, including its Terms of Reference, can be found on the Engage Victoria website at: <https://engage.vic.gov.au/MarinusLink-IAC>

The IAC process

The IAC will conduct a public hearing, to allow submitters who want to be heard in relation to impacts on the Victorian environment, or the draft PSA, to have their say. The process includes a Directions Hearing and the Hearing.

Directions Hearing

The Directions Hearing will be held at:

10.00am, Tuesday, 6 August 2024
Planning Panels Victoria, Hearing Room 1
Ground floor, 1 Spring Street, Melbourne

Alternatively, you can join online using the following link:

[Join the meeting now](#)

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.

OFFICIAL



Meeting ID: 441 070 085 879

Passcode: MAM8yU

What will happen at the Directions Hearing?

At the Directions Hearing, the IAC will:

- give directions about the conduct of the Hearing and the exchange of information in the leadup to the Hearing, including expert witness reports
- make arrangements for site inspections
- make arrangements for the Hearing
- consider any procedural issues
- answer any questions people have about the IAC process including the Hearing.

Who should attend the Directions Hearing?

You should attend the Directions Hearing if you wish to participate in the Hearing and you:

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

If you wish to raise a procedural issue

If you wish to raise a procedural issue at the Directions Hearing, please provide the IAC with a brief explanation of the issue in writing to Marinus.IAC@transport.vic.gov.au by **12 noon on Thursday 1 August 2024**.

Hearing

At the main Hearing, the IAC will hear from submitters, the Proponent, any Traditional Owners who wish to participate, and government agencies. All submitters who have requested to be heard will be parties to the Hearing and will be allocated a time to present to the IAC.

The Hearing will be informal and not like a court. You don't need to be legally represented to participate in the Hearing.

The Hearing will start on **Wednesday 18 September 2024** and is expected to run for 3 to 4 weeks. The IAC will generally sit Monday to Thursday each week. The Hearing is likely to be partly in Melbourne, and partly in Traralgon. Hearing dates and arrangements will be finalised at the Directions Hearing.

Key information

Attachment 1 sets out:

- a summary of proposed dates and directions
- a proposed order of appearances at the Hearing.

These will be discussed at the Directions Hearing, and will inform the IAC's Directions and Timetable that will be circulated after the Directions Hearing.

If you are unable to attend the Directions Hearing

If you wish to comment on the proposed dates or any other procedural matters but are unable to attend the Directions Hearing, you can provide comments in writing to Marinus.IAC@transport.vic.gov.au by **12 noon on Thursday 1 August 2024**. The IAC will consider your comments when preparing the Directions and Timetable.

Impacts on the Commonwealth and Tasmanian environments

Impacts on the Commonwealth environment will be assessed by the Commonwealth Minister for the Environment and Water, under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Following receipt of public submissions, the Proponent will finalise the EIS and provide the EIS,

submissions and the Proponent's response to submissions to the Commonwealth Minister. The Commonwealth Minister will decide whether the project is approved, approved with conditions, or refused under the EPBC Act.

Tasmania will conduct its own impact assessment process under Tasmanian legislation.

More information

The IAC process is public

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

Submissions and other information presented throughout the process, including at the Hearing, will be treated as public documents. Please note the [Privacy Collection Notice](#), which explains how your submission will be used by the IAC. (You will have already acknowledged the Privacy Collection Notice when you lodged your submission).

Can I view other submissions?

Submissions are being published on the [Engage Victoria website](#). The submissions are being progressively uploaded, and uploading will be complete before the Directions Hearing. Parts of some submissions have been redacted for privacy reasons, but the IAC has been provided full copies of all submissions.

Joining the Directions Hearing online

Further details on how to join the Directions Hearing in person and online and are provided in **Attachment 2**.

Guide for submitters

Attachment 3 is a *Guide to the Marinus Link Project Inquiry and Advisory Committee*. It provides general information about the Marinus Link Hearings and what to expect.

More information including the *What is a Panel?* guide, *Guide to the Public Hearing* and *Frequently Asked Questions* are available at: www.planningpanels.vic.gov.au/guides-and-resources.

The IAC hearings will be recorded

The IAC will record the Directions Hearing and Hearing (audio only). Participants must not record the hearings without permission from the IAC.

If you have any questions please contact [REDACTED] Planning Panels Victoria on Marinus.IAC@transport.vic.gov.au or call 136 186.

Yours sincerely,



Sarah Carlisle
Inquiry and Advisory Committee Chair

Attachment 1 – Key information

Marinus Link Project

The following information is provided for discussion at the Directions Hearing. Parties may also provide comments in writing to Marinus.IAC@transport.vic.gov.au by 12 noon on Thursday 1 August 2024.

Key dates and draft Directions

The following dates and Directions are proposed:

Time	Date	Action
10.00 am	Tuesday, 6 August 2024	Directions Hearing
12 noon	Monday, 12 August 2024	All parties who have not already done so must confirm the details of their expert witnesses
12 noon	Friday, 16 August 2024	Parties to nominate locations to be included in the IACs site visit
12 noon	Friday, 23 August 2024	Proponent to provide draft site inspection itinerary and map to the IAC
12 noon	Tuesday, 27 August 2024	Proponent to circulate its Part A submission
12 noon	Wednesday, 28 August 2024	Proponent to circulate its Expert Witness Reports
12 noon	Wednesday, 4 September 2024	Other parties calling evidence must circulate their Expert Witness Reports
	Week commencing 9 September 2024	Site visit (part of which may be accompanied) Meetings of like Expert Witnesses (if required). Statements will be due prior to the Hearing commencing
12 noon	Monday, 16 September 2024	Proponent to provide 'Day 1' version of the Project documentation
10.00 am	Wednesday, 18 September 2024	Hearing commences

Proposed order of presentations at the Hearing

Party	Session
Marinus Link Pty Ltd (Proponent)	Project overview presentation
Department of Transport and Planning Impact Assessment Unit	Overview of EES process leading up to appointment of the IAC
Marinus Link Pty Ltd	Main submissions and evidence
Registered Aboriginal Parties and Traditional Owners wishing to participate	Main submissions and evidence
Parties calling evidence	Main submissions and evidence
Corporates and community groups	Main submissions
Individuals	Main submissions
Marinus Link Pty Ltd	Closing submissions

Attachment 2 – Joining the Directions Hearing

Marinus Link Project

Attending the Directions Hearing in person

Planning Panels Victoria (corner Spring and Flinders Streets) is on the 75 and City Circle tram lines and a short walk from the Collins Street trams 109, 11, 12 and 48. It is also a short walk from Parliament Train Station. We suggest you arrive by 9.30am.

Joining the Directions Hearing by MS Teams

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

[Join the meeting now](#)

Meeting ID: 441 070 085 879

Passcode: MAM8yU

Information for online participants

Identifying yourself

If you want to participate in the Directions Hearing, please provide your first name and last name when you log in, so the IAC can easily identify you. If you are representing an organisation, include the organisation name after your name – for example, “Sarah Carlisle, Chair of the IAC”.

If you wish to speak

To minimise background noise, please keep your microphone on mute and your camera off unless you need to speak.

If you wish to speak or ask questions, please use the ‘raise your hand’ button. The Chair will call your name when it is your time to speak. Please take yourself off ‘mute’ and turn on your camera when it is your turn to speak.

Chat function

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

Information for online observers

The Hearing will be open to members of the public to observe the Hearing either in person or online. Observers should keep their camera and microphone off throughout the Directions Hearing.

Technical assistance for online participants

The Proponent (Marinus Link Pty Ltd) has arranged technical support for the Directions Hearing. If you experience technical issues or need support connecting, please call Nanoo Nanoo on either 0417 142 606 or 0448 396 18. The phone line is open 9.00am to 5.00pm Monday to Friday.

[Your guide to using Microsoft Teams at Planning Panels Victoria](#) contains more detailed information on how to join, and what to do during the Directions Hearing.

Joining the Directions Hearing by telephone (audio only)

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, call +61 2 7208 4842 and enter phone conference ID 116 141 681#.



Guide to the Marinus Link Project Inquiry and Advisory Committee

**How to present to the Inquiry
and Advisory Committee**
Information for submitters



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Victoria

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).

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

Cutting through the jargon

Directions – the IAC’s instructions to people participating in the Hearing. These must be followed by the parties.

Party/Parties – a submitter who requested to be heard and participate in the IAC Hearing.

Submissions - can refer to either a written submission about the Project or a verbal presentation at the Hearing which explains a Party’s views.

Advocates, experts and submitters

The IAC Hearing will involve advocates, experts and submitters. Each have a different role.

Advocates

Advocates act on behalf of a client. They generally run the case and may or may not call expert witnesses. They express a view about the proposal but do not provide evidence.

Submitters

Submitters are those who wish to express an opinion about a proposal. They make submissions, but do not provide independent expert evidence.

Expert witnesses

An expert witness has specialised knowledge and gives evidence in a field of expertise. Common areas of expert evidence include biodiversity, social impacts, traffic, economics and the like.

Any party can call expert evidence. Expert witnesses are independent, and their primary duty is to the IAC, not the party who calls them.

Expert witnesses provide expert witness reports, which will be recorded by the IAC on a list of Tabled Documents. The report contains the expert’s evidence in relation to the Project and its impacts.

Evidence usually includes facts relating to the Project and the witness’ opinions based on their expertise. Evidence

can include modelling, photographs and other visual presentations as well as written opinions.

The IAC may direct expert witnesses in the same field to meet to discuss the key issues and to identify (and if possible, reduce) areas of disagreement before the Hearing. These meetings occur without the parties or other observers in the room, to ensure the experts can discuss matters freely and state their independent opinions. A report from the expert meetings (a Joint Expert Statement) will be circulated to all parties setting out the outcomes of the meeting.

Expert witnesses will present their evidence at the Hearing (called ‘evidence in chief’) and will then be available for questions (called ‘cross examination’). Any party can ask questions of expert witnesses. The IAC can also ask questions, and may regulate questions from the parties.

More information about asking questions is available below.

Site inspection

The IAC will undertake an inspection of the Project area. Site visits assist the IAC in considering the Project’s impacts on the environment and on nearby properties and communities. Site visits also help the IAC to understand the evidence and the submissions. Site visits can either be unaccompanied or accompanied.

Main Hearing

The Hearing allows for:

- The Proponent to present evidence and submissions in support of the Project.
- Registered Aboriginal Parties and Traditional Owners to voice their views on the Project (if they wish to participate).
- The local councils, government agencies, community groups and individual submitters to speak to their written submissions and call evidence if required.

The Hearing is open to the public, and anyone can observe the Hearing.

Time allocations

All submitters who requested to be heard will be allocated a time on the Hearing Timetable when they can present to the IAC.

The IAC will prepare the Timetable based on the information provided on the online submission form or coversheet that you provided with your submission.

Depending on how many submitters want to be heard, the IAC may need to limit submissions times for parties, to ensure everyone gets a fair opportunity to have their say.

What does presenting at the Hearing involve?

How do I present?

It's up to you how you make your submission at the Hearing. You can present your submission verbally or in writing. Some submitters like to present PowerPoint presentations. Others simply read from written notes.

It helps the IAC if you have examples, photographs or plans that help explain your key points.

What should I say?

You should clearly explain to the IAC what is of particular concern to you about the Project, and why, and what (if anything) you would like changed about the Project.

You can also highlight conditions you think should be included on approvals for the Project, or comment about the Proponent's submissions or evidence, or the submissions of other parties.

You don't need to read your original submission that you lodged during the exhibition period out, as the IAC will have already read it.

Keep it relevant

The IAC is only able to assess and advise on the Project's impacts on the Victorian environment. It is not considering impacts on the Commonwealth marine environment, or the Tasmanian environment.

The IAC's Terms of Reference provide information on the scope of the IAC's inquiries. Familiarise yourself with these before you prepare your submission.

Will I be asked questions?

The IAC may ask questions of clarification to make sure they fully understand your submission. Other parties can only ask you questions if the Chair allows it. You will not be cross examined in the same way an expert witness is cross examined.

Can I get someone to present for me?

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 speaking notes, to guide you through your presentation or to read out at the Hearing. That way, you won't forget any of the points you want to bring to the IAC's attention.

Writing down what you want to say will help you present your key messages in a logical order. It will also give you a document you can provide to the IAC.

Practise, and time yourself

Practising will make sure you don't run out of time, and you can present your submission looking calm and confident. Be mindful of the time and speak within the time allocated to you. Extensions of time are generally not possible, as there will be other submitters following you.

Observe another hearing

You can observe any Planning Panel Victoria (PPV) hearing beforehand to see how a hearing works. Current hearings and links can be found on the PPV website: <https://www.planningpanels.vic.gov.au/>

Presenting on the day

Part of the IAC's role is to hear from submitters and get an understanding of how the Project may affect them. You don't need professional representation to explain that to the IAC.

Some people get nervous presenting to the IAC. Remember that the IAC members often hear from people who are not familiar with these types of processes. They are not expecting you to present like a lawyer or a planner.

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

What do I call the members and other participants?

The IAC members will introduce themselves at the start of the Hearing.

When making your submission or asking the IAC questions, refer to the members as 'Member Carlisle', 'Member Hellsten' etc. They will have name plates.

When referring to other parties or witnesses, refer to them as 'Ms Smith, 'Mr Jones' etc.

Screen sharing

The IAC prefers parties to present material electronically, using screen sharing. This will allow you to display your material on the screens in the Hearing Room, and to online observers.

You can screen share from your own wifi enabled laptop or tablet, or from the Hearing Room laptop. If you want to use the Hearing Room laptop, bring your material on a USB stick so it can be uploaded to the Hearing Room laptop.

If you are using your own device, you will need to log in to the Hearing. The Hearing Room laptop will already be logged in.

If you've not used the screensharing function in MS Teams before, you might want to have a practice before the Hearing so you are confident with the tools by the time you come to present.

PPV staff will be available to assist you.

Any material you present at the Hearing needs to be circulated to the IAC and the parties the day before you present. See more below on documents.

When should I arrive?

Make sure you arrive and/or log in with plenty of time on the day you are scheduled to present.

If you want to present using the Hearing Room laptop, arrive by 9am with your material on a USB stick, so PPV staff can help you load the material onto the laptop before the Hearing starts. Then you will be ready when it comes to your turn.

The IAC Chair will invite you to speak when it's your turn.

What if I run out of time?

You must finish your presentation during the time allocated to you. If you run out of time, the IAC will likely need to ask you to finish, as there will be other submitters following you.

If you run out of time, you can provide the IAC with any written material you didn't get to present.

Checklist for presenting at the Hearing

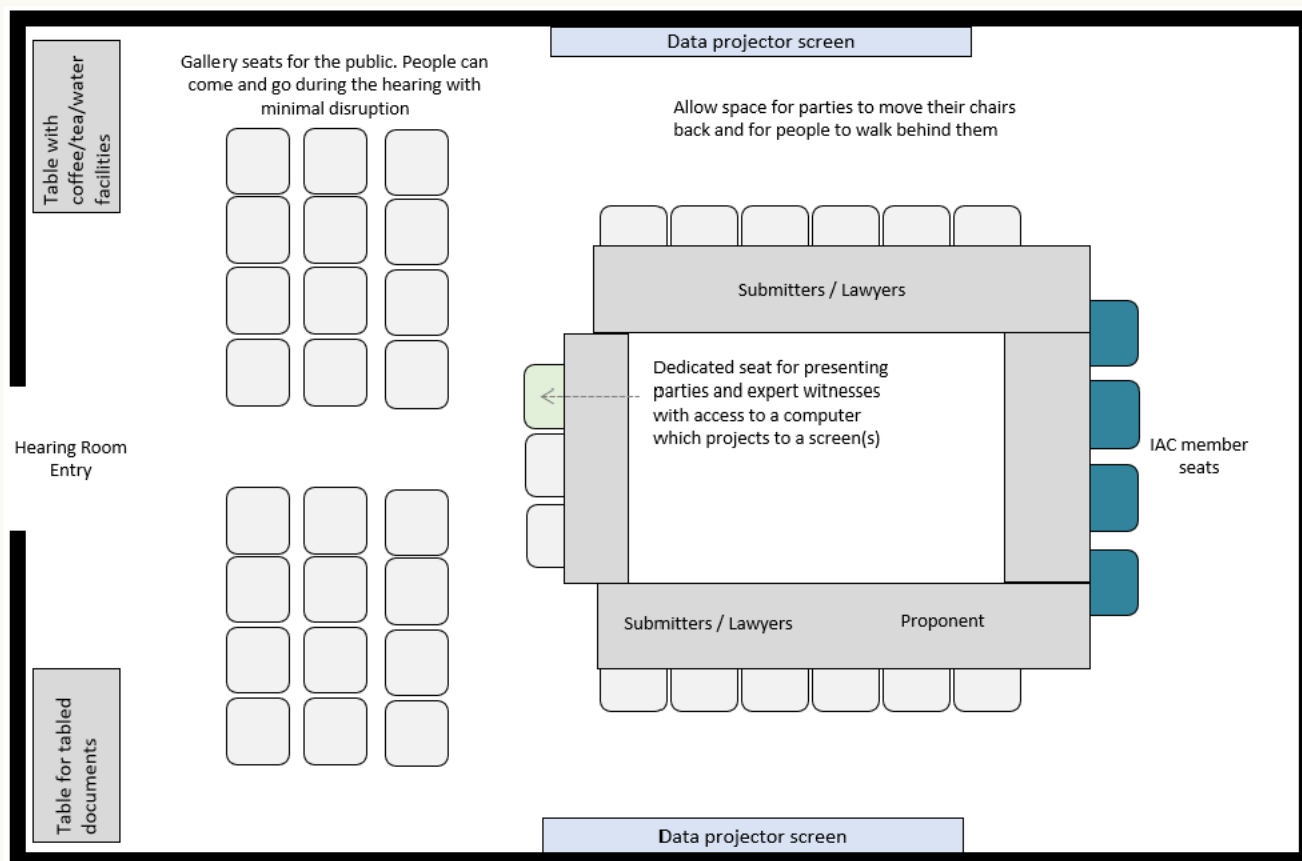
The Hearing provides submitters with a chance to have a say and participate in the planning decision-making process. Keep the following points in mind when making your presentation at the hearing:

- ✓ Begin your preparation early and think about the key messages you want to make.
- ✓ Practise reading your presentation or speaking notes before the hearing. Make sure you can present within your time limit.
- ✓ Arrive at the hearing in plenty of time.
- ✓ Speak slowly and clearly.
- ✓ Introduce yourself and/or your organisation. If you are representing an organisation, explain what your role is in the organisation, and the organisation's objectives, activities and 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. The less important issues can be dealt with in your written material.
- ✓ 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.

TIP: The Public Hearing allows the Proponent to speak about its Project. It gives people who made a submission the chance to talk about their submission and expand on any key points to the Committee.

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

Hearing Room layout



Cross examination and asking questions

When should I cross examine a witness?

Questions in cross examination might be about how the witness formed a particular view, what assumptions the witness based their opinions on, or how they verified any facts they have based their opinions on.

You should cross examine a witness if you think the witness may have 'got it wrong', for example because the witness made a key assumption that you think is not sound, or if they have not considered something you think they should have considered.

Cross examination is about testing the expert's evidence. It is not an opportunity to generally educate yourself about a particular subject matter.

If you disagree with the witness' opinions, but you don't have particular concerns about the way they have formed their opinions, that is better explained to the IAC through your submission rather than through cross examining the witness.

How to cross examine

If you want to cross examine a witness, you must:

- be present for the whole of the evidence of that expert witness
- ask clear and relevant questions, directed to matters of fact or professional opinion
- allow the expert witness time to explain their answer.

Cross examination must be respectful, and productive. It is not an opportunity to argue with the witness.

When cross examining you should avoid:

- making a submission or providing your opinion about the project
- giving extensive comment or context as an introduction to your question
- asking questions that are unrelated to the evidence
- commenting on the expert or the evidence (as opposed to asking questions)

Keeping to time

The IAC may ask how long you think you will need for your cross examination. You need to keep to your time estimate and should aim to complete your questioning as concisely as possible.

What to expect

Cross examination needs to be about the matters before the IAC, and useful to the IAC in assessing and weighting the evidence. The IAC may ask you to move on if the line of questioning is not useful to the IAC.

Documents

Documents are public

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

Please don't include any personal information that you are not happy to be made public, or any personal information of others (such as photographs of faces) unless you have the person's consent.

Can I present information confidentially?

The IAC can hear submissions or accept material on a confidential basis, provided this would be fair to the Proponent and 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 and provide reasons why the IAC should treat your submissions or material confidentially.

Document sharing

The document sharing platform is a place where parties can upload documents so that the IAC and parties have access to them during the process, including at the Hearing.

The Proponent will be asked to host and manage an online document sharing platform and provide instructions to all parties on how to use it.

Report

After the Hearing is over, the IAC will provide a report with recommendations and advice to the Minister for Planning.

What will be included in the Report?

The Report will assess the Project's impacts on the Victorian environment, having regard to the combined EIS and EES and associated technical material, the public submissions, and further submissions and evidence presented at the Hearing.

The Report may provide recommendations on how the Project's impacts might be further minimised.

When will the Report be provided to the Minister?

The IAC must provide its report to the Minister for Planning within 40 business days from the last day of the IAC's proceedings (see the IAC's Terms of Reference).

How will the Report be used?

After receiving and having regard to the IAC's Report, the Minister will assess the Project's impacts on the Victorian environment. The Minister's Assessment will inform decisions about approvals for the Project required under Victorian legislation.

Will the report be available to the public?

The Minister for Planning will decide whether and when to release of the IAC Report to the public.

Keeping you updated

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

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

This will include:

- the Directions of the IAC and any updated or new directions
- the Hearing Timetable
- all Tabled Documents
- latest updates on the Hearing, confirming who will be appearing and any delays or changes to the published Timetable
- recordings from the Directions Hearing and Hearing.

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/MarinusLink-IAC>

If you have any other questions, please contact:

Ms Amy Selvaraj, Manager, Major Projects of Planning Panels
Victoria at: Marinus.IAC@transport.vic.gov.au

For more about this project, visit
engage.vic.gov.au/MarinusLink-IAC