

Submission to the Developing a Land Access Code of Practice Draft Decision

Submission received through Engage Victoria

From 15 June to 27 July 2023, the commission accepted submissions on our draft Land Access Code of Practice via Engage Victoria. On 17 July 2023 we hosted an online public forum on the project, followed by an in-person forum with landholders on 25 July 2023. We have used these submissions to inform our final decision.

Date submitted: 17/06/2023

Name: Anonymous

Stakeholder/interest group: Community member

Q6. Do you consider that the current proposed obligations in the code of practice provide enough clarity on what is expected from transmission companies when accessing land? Do the proposed obligations provide sufficient flexibility to develop new transmission projects and undertake significant upgrades?

The Land Access Code must include all activities, actions and communications between proponents and stakeholders, clearly written in plain English, including all minor details that will be likely to occur throughout the energy reform developments. The current proposed obligations do not provide sufficient flexibility or demand legal integrity of the business conduct /practices of Govt Subcontractors. The access code must utilise and emphasise the wording of Actions that Transmission Co must complete. Not Adopt, must action and demonstrate their Biosecurity practices. None have been evident as yet! Utilise the expertise of Biosecurity Officers to identify the incidents of Biosecurity Failures and outbreaks. Ausnet, Transgrid, Do Not have the qualifications to determine such decisions that will affect our viable land use. All communication, physical stakeholder attendance must be compensated for time away from work commitments, by Transmission Co. The Transmission Co must be responsible for the adherence to practices, processes of access compliance and demonstrate adherence proof. They are conducting their business on our land, affecting our business and life commitments. Transmission Co and their subcontractors are Not Visitors, they are uninvited Entities imposing on our privacy and on our business ventures. What do you mean by undertake significant upgrades ? The ongoing extension of transmission development projects ? So our 1 easement becomes multiple which is blatantly

obvious on the Gippsland Grez line, with criss crossing connector lines to the central line. But no one is acknowledging that, which is a compounded insult and Ghost Business Practice.

Q7. Do you agree to the code of practice applying to all stages of a new transmission project in which section 93 access may be required?

Q8. Do you identify any issues with the proposed scope of the code of practice – that it would apply to all new transmission projects and significant upgrades on existing transmission projects?

The code of practice, application must commence from inception to the end of Life of the Transmission Project and include repair, recycle and removal responsibilities and practices. No one is thinking that far ahead. Most importantly it must detail the ongoing access during the life of the transmission line from normal operation, to emergency, fire attendance, upgrades and repairs. In-depth Detail. The current scope of code of practice is too general, not detailed enough, open to individual perception and business interpretation, as evident with the whitewashing reports that Ausnet are currently providing to ESC of their practices. Replace 'Timely engagement', with -state the number of days, weeks to be adhered to. and spell out the consequences for failures of each breach in practice. Define Landowner required input, compensate accordingly ! Must provide investigation reports, practice adherence, details of all individuals and their credentials to landowners writing. Even if Transmission Co employees, subcontractors are identified by an individual Number that can be recorded and verified in event of an incident. It's a one sided privacy principle currently and fosters protected behaviours and disingenuous engagements. Transmission Co utilise Unilateral communication power play, where expert narrators are employed to talk over, dominate, less educated people, discriminatory and unacceptable business practice. The Energy Reform Narrative utilises a limiting language, designed to frustrate average literacy skilled stakeholders and must be reformed to more sensible talk. So the Access Code must be provided in plain talk and stakeholders offered counselled support, for interpretation and requirements to minimise the resistance events already occurring.

Q9. Do you have any comments on the proposed general communication and engagement obligations on transmission companies before accessing land?

Obligations and commitment from Transmission Co before accessing land, is now at the point of disrepair in trust. Consistent failures in all of said actions can only be rectified by the employment of independent intermediators to Liase between stakeholders and Transmission Co to achieve successful engagement. A cross between counsellor, Biosecurity Officer and legal advisor is a necessary appointment in every Transmission line development.

Q10. Do you have any comments on the proposed information and notices that should be provided by transmission companies to affected landowners and occupiers before

accessing land under section 93 of the Act or entering into a voluntary access agreement? Should any information be added, removed or amended?

All of the above, most importantly the inclusion of more common sense detail, removal of timely response wording (Power to the transmission Co), explanation of or removal of Greenfield transmission project wording (most properties already have some Elec carrying easements), provide more exact timelines, removal of Timely updates, Replace Co employed Land Liaison Officer with Independent Qualified Person. Recourse must be at Transmission Co Cost through out, include qualified contacts, options for assistance, independent Auditor and Adjudicator, not just EWOV ! The only appropriate 'training in appropriate and effective stakeholder engagement' by Transmission Co Liasers is a qualified Agriculturally trained, counsellor, Biosecurity officer with experienced legal skills. Turning up with security guards is Not respectful Stakeholder Engagement and illegal business practice. Carry Firefighting and Biosecurity practice Equipment in all vehicles, for every contact and entry to stakeholder land. Bring own toileting and Water supplies. Stakeholder water supplies are never to be utilised, No Smoking, drinking or drug taking on property, Removal of all waste product, food, drink containers. No cigarette Butts left in paddocks. No pets or dogs are to enter stakeholder property. Never request Stakeholder machinery be utilised for transmission project or assist with Machinery breakdowns or bogging!

Q11. Do you consider that the proposed timing of 10 business days is sufficient period for a Notice of Access?

No allocated Times of year, according to Farm designated activities, flexible to weather conditions, sudden flooding. Allocated times of year will provide windows of less stocking rates, stock movement requirements and paddock usage requirements. 3 -4 months not available due to calving, lambing and sowing crops. Then within those windows of time, 7- 10 days notice as negotiated between parties. Rather see work done in a consolidated short timeframe then dragged out over ongoing months and years.

Q12. Do you have any comments on the proposed maximum access period?

As above, every stakeholder venture will have specific requirements that must be adhered to and work needs to be consolidated into a short timeframe. Transmission Co will demand ongoing access for all their prioritised reasons. These still must be committed to agreed times of the year and farm practises, in a flexible negotiation. Not Demands, just because they are 'In the Area'.

Q13. Do you have any comments on the proposed risk mitigation obligations in the draft code of practice?

As above, Employ an independently paid Biosecurity officer with strong mediator skills, for qualified initial farm assessments, monitoring and risk mitigation capabilities within each Grez area, transmission line community.

Q14. Do you have any comments on the proposed specific risk mitigation obligations in the draft code of practice related to biosecurity protocols, fire risk management and health management?

too generalised, not detailed, relies on Transmission Co Policy, found to be not evident,, staff unknowledgeable, vehicles not equipped and practises not performed. Transmission Co responsibility to show proof of their training, practices, vehicle equipment and processes they WILL Action on Every Gate Entry. Reports of staff, vehicles, dates, chemicals, expiry dates, actions taken provided to landowners monthly. Policies formulated for risk mitigation practices, weed suppression within Easement, notifications to stakeholders through the life of the transmission line.

Q15. Do you have any comments on the proposed complaints handling and dispute resolution obligations in the draft code of practice?

As above More independent agronomy support, mediators, counsellors, legal advisors, and dedicated ombudsman for Transmission Line Development Stakeholders. Transmission Co responsibility to provide reports for all investigations undertaken on stakeholder property, with comprehensive details, date, parties involved, machinery, practices, results given to stakeholders. Transmission Co responsible for full Cost of dispute resolution, including seeking independent counsel. It wouldn't be a cost of focus, time or energy to seek recourse to the stakeholder if the Transmission Co was not affecting them.

Q16. Do you have any comments on the Energy and Water Ombudsman Victoria (EWOV) being the proposed dispute resolution scheme? Are there other dispute resolution bodies we should consider? What would be the costs and benefits of those options?

EWOV is too long winded, not person centered support, red tape orientated. where stakeholders now have to 'PROOVE" incidents to gain recourse. When Transmission Co have employed solicitors and Narrators to defend their practices and failures. Would not have been an issue in their life if Transmission Co did not Impose and fail Business practices on stakeholders.

Q17. For what period of time should transmission companies be required to retain records related to land access?

For the life of the Transmission Line.

Q18. What scope of records should transmission companies be required to retain?

All for the life of the Transmission Line and freely share copies of reports, accountability on stakeholder engagements with landowners.

Q19. Are the proposed reporting requirements appropriate to monitor compliance with this draft code of practice? If no, what reporting should be required? Do you have any comments on whether the monthly reports should be used for additional purposes?

No just look at the Monthly Ausnet reports to ESC- Whitewashed, tick boxing. Individual developed report per stakeholder, itemising unique circumstances and considerations in an ongoing fluid report of the nature of engagement and affect on the stakeholders venture throughout the development and life of the transmission line. Individual difficulties described on the property, mitigation steps taken, communications, successes hailed and failures repaired.

Q20. Is there any additional information we should consider on the expected costs and benefits of the draft code of practice?

The expected costs of the draft code of practice is if this fails to gain respect and engagement by stakeholders for these transmission line development, the result will be a monumental disaster in numerous communities across Australia. The Benefits if the advised changes offered here are implemented May provide a step toward engagement and consultation on how best to move forward with these projects in an honest transparent collaboration.

Q21. Are there any other issues with implementing the code of practice we should consider?

The BIG issue in Implementing this Code of Practice is to Gain Public Acceptance, that these Transmission Projects Value what the stakeholders Value. That individual landholders are recognised, supported and protected as important Australian pursuits..