RMCG

VNI West Community Reference Group

Meeting Minutes – Tuesday 24 June 2025, 5:30pm to 8:00 pm

Charlton Park Complex, Charlton

ATTENDEES 5:30PM TO 6:15PM CRG ONLY

CRG members

Barry Batters, Bryan Pederson, Claire Grant, Colin Coates, Jon Whykes, Glenda Watts, Colin Fenton, Paul Haw, Cr. Daniel Bolitho (Gannawarra Shire Council), Cr. Justine Hide, Cr. Jenny Greenberger (Northern Grampians Shire Council), Rachel Lloyd.

Claire Flanagan-Smith (Chair) and Meg Caffin (Secretariat).

ATTENDEES 6:30PM TO 8:30PM CRG, TCV, GUESTS AND OBSERVERS

CRG members

Barry Batters, Bryan Pederson, Claire Grant, Colin Coates, Jon Whykes, Glenda Watts, Colin Fenton, Paul Haw, Cr. Daniel Bolitho (Gannawarra Shire Council), Cr. Justine Hide, Cr. Jenny Greenberger (Northern Grampians Shire Council), Rachel Lloyd (departed 7:00pm for another commitment).

Claire Flanagan-Smith (Chair) and Meg Caffin (Secretariat).

TCV

Claire Cass (GM Victorian Network Services and Delivery), Colin Lang (Acting Program Director), Mark Gledhill (Senior Project Manager), Amy Pepper (Lead, Engagement and Social Performance), Ali Driscoll (TCV Senior Advisor Engagement),

TCV online: Francis Meehan (Senior Corporate Lawyer)

Guests

Catherine Wolthuizen (Energy and Water Ombudsman Victoria), Nicole McCutcheon and Rebecca Clarke (Office of the Energy and Water Ombudsman Victoria), Amy Abraham (Good Energy Engagement).

Observers

Geoffrey Caine (VicGrid).

Observers online: Chris Sounness (Wimmera Southern Mallee Development).

APOLOGIES

CRG member apologies

Max Fehring, Stephen English, Brett Hosking and Carly Noble.

Observer apologies

Cr. Alan Getley (Mayor, Buloke Shire Council), Geoff Rollinson (Gannawarra Shire Council), Lincoln Fitzgerald (Loddon Shire Council).

1 Members only pre-meeting session

This session was only attended by CRG members, the Chair and Secretariat.

The session focussed on preparing a list of questions for TCV representatives and guests attending the meeting from 6.30pm. The particulars of discussions during this session are confidential.

2 CRG Meeting

2.1 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

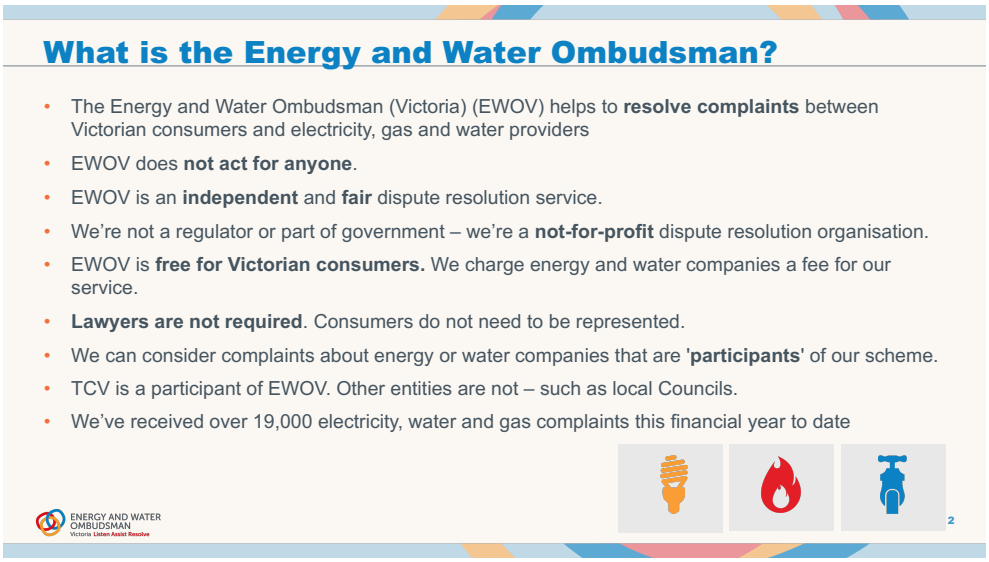
Independent Chair Claire Flanagan-Smith welcomed attendees, made an Acknowledgement of Country, opened the meeting, introduced new attendees and provided an overview of the meeting agenda.

2.2 OVERVIEW ENERGY AND WATER OMBUDSMAN VICTORIA (EWOV)

Catherine Wolthuizen, Ombudsman and CEO, presented on the role of EWOV and the team's expertise and experience. EWOV is a not for profit, independent dispute resolution service for energy and water customers and landholders. EWOV can mediate, investigate, and issue binding decisions for complaints about energy and water businesses to provide fair and reasonable outcomes that are based on the individual circumstances of each complaint.

EWOV is funded by energy and water companies who are required to be part of the scheme and funding is based on the number of complaints received meaning their funding is sustainable and adaptive to match the level of complaints at any one time. The service is free to complainants. EWOV is publicly and independently audited every five years.

EWOV has always had jurisdiction to consider complaints from landholders or neighbours about the way an energy company has exercised its statutory rights to access land. EWOV can also consider any complaints that arise under a voluntary access agreement if TCV, the landholder and EWOV agree for EWOV to handle the complaint.



How does EWOV operate?

- There is an Energy and Water Ombudsman in Vic, SA, QLD and NSW
  - Each such ombudsman operates in their own state and may have different rules, scope and complaint handling processes.
- At EWOV, we will work with the parties to **mediate** an agreement based on the facts of the complaint.
- If the complaint cannot be resolved this way, we will provide our assessment of a **fair and reasonable** outcome.
- If required, the Ombudsman can make a **final decision**
- Ombudsman final decisions are **binding** on participants **if** accepted by the consumer.
- Consumers **retain their rights** if they don't accept EWOV's assessment.
- We use the information and insights from our cases to **drive better practices** by participants and to inform policy and regulation so everyone benefits from our work.

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How is EWOV relevant for landholders and TCV?

- EWOV Charter sets out the complaints EWOV can handle and the ones it can't.
- EWOV can hear **complaints against TCV**, as TCV is a participant of EWOV.
- We can currently handle some **land access complaints**
- We can also handle **any other type of complaint** if all parties (including EWOV) **agree** for EWOV to consider it. This may include:
  - Complaints that arise under voluntary access agreements or option for easement agreements
  - Disputes about compensation amounts
  - Loss or damage to property
  - Complaints relating to engagement or notice
- EWOV is here to discuss an expanded role by agreement. We believe we can provide a trusted forum for a range of concerns and disputes considered.
- We won't have all the answers today.
- We're here to listen and understand the types of disputes that may arise.

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Types of issues that EWOV can consider

Some types of issues that may arise and require dispute resolution:

- ❑ Communication or engagement between the parties
- ❑ Notification of proposed access
- ❑ Agreements for access timing and conditions
- ❑ Loss or damage to property caused during access

What are the types of complaints that you would like EWOV to consider?

- ❑ With the agreement of all parties, EWOV can handle a broader range of complaints
- ❑ This includes failure to comply with the terms of agreements between landholders and TCV

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Complaints EWOV can't consider

There are some complaints that EWOV cannot consider

EWOV cannot consider complaints about:

- the **project progressing**
- the **proposed route**, design or feasibility of the transmission infrastructure project generally
- how TCV has **consulted** with the **local community** about the project (as opposed to with individual landholders)
- matters that are dealt with by court processes
- matters relating to **approvals** required for the project, such as environmental and planning approvals

All complaints are subject to EWOV's discretion to decide not to handle the complaint.

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How is EWOV different to AEIC?

EWOV	AEIC
The Energy and Water Ombudsman Victoria (EWOV):	The Australian Energy Infrastructure Commissioner (AEIC):
• Independent, non-government, not-for-profit	• Government appointment
• Works with impacted landholders	• Works with impacted communities
• Provide insights on systemic industry conduct	• Promotes best practice
• Resolves individual complaints	• Provides information
• Will refer to AEIC or other bodies where appropriate	• Will refer to EWOV or other bodies where appropriate

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EWOV has discretion as to whether it handles a complaint and has a clear complaints process. If a dispute can't be resolved between the parties within 15 business days, then EWOV will open an investigation. There is a preference for the parties to work through the 15-day referral stage without having to investigate. An investigation will look at the facts, circumstances, history, legislation, regulation and agreements made to determine a decision that offers a fair and reasonable outcome,

What is EWOV's process?

Our complaints process

We have a clear process for helping to resolve complaints. Some complaints can be resolved quickly while more complex issues can take a bit longer.

1. Contact the transmission company

You should try and resolve the complaint with TCV first, or attempt to contact them, before coming to us.

2. Bring the complaint to us

If you've contacted TCV and can't resolve the issue, you can come to us and lodge a complaint. We will ask TCV to try to resolve the complaint before we start an investigation.

3. We investigate your complaint

If TCV does not resolve the complaint in 15 business days, we will start an investigation. We will engage with you and TCV to understand the issues in dispute and the outcome you are seeking.

4. You get an outcome

We help you and TCV reach a resolution, or we'll decide on a fair and reasonable outcome to the complaint.

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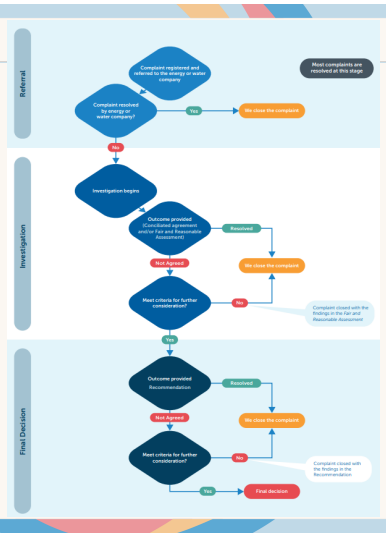
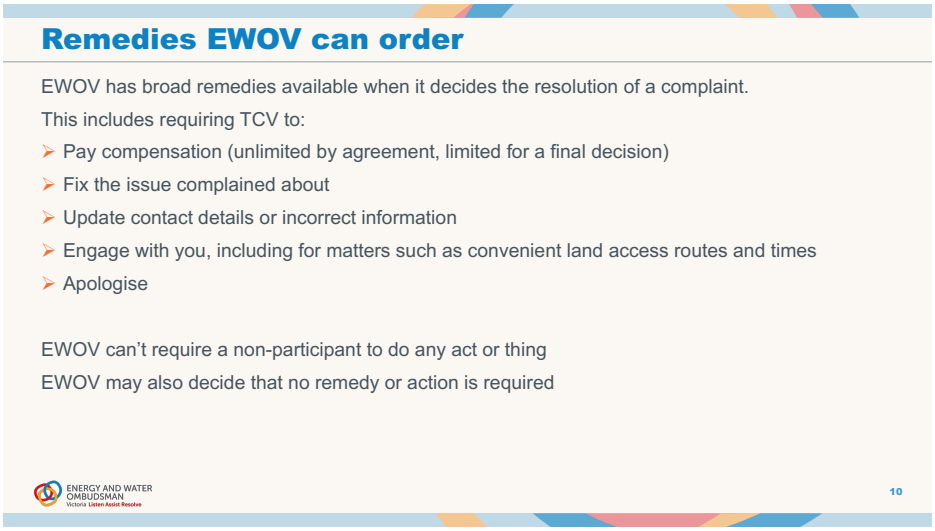
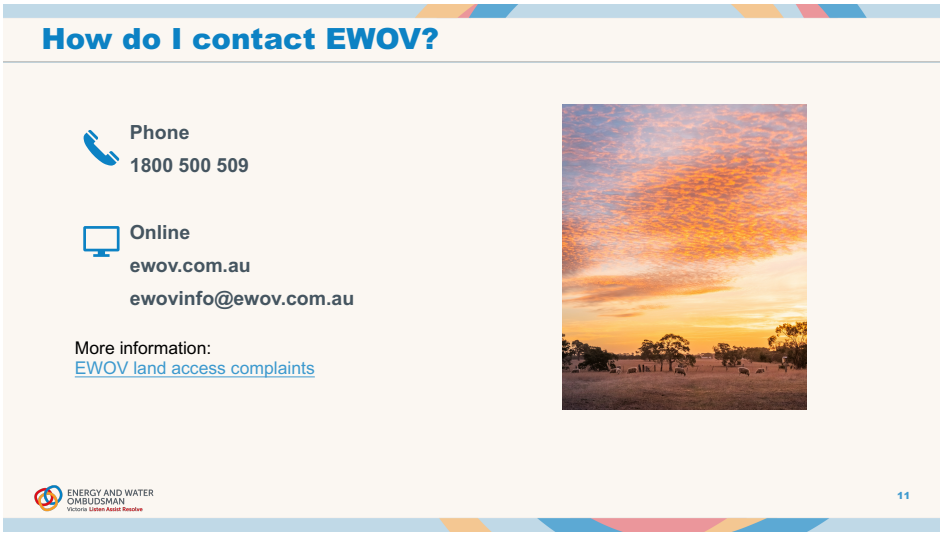






Discussion

CRG question: Can energy companies use EWOV to deal with vexatious complaints?

- **EWOV response:** No, EWOV accepts complaints from landholders and/or customers. EWOV does not handle complaints initiated from energy businesses about their customers or landholders.

CRG question: How much power does EWOV have to challenge Ministerial decisions and/or legislative changes? Do you have the capability to deal with disputes relating to land access? *[Secretariat note: legislation referred to is the National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Bill 2025.]*

- **EWOV response:** EWOV will research the effects of new legislation. However, EWOV cannot handle disputes about legislation that is in draft stage or matters before the court. That said, EWOV is currently working out if/how the proposed legislation will impact EWOV's consideration of landholder complaints should it be gazetted. Regarding the specific issue of land access rights for transmission projects, EWOV needs to review the legislation first. In the past, EWOV has reviewed whether the power to access land has been exercised properly and whether there were any issues relating to access e.g. damage to property, biosecurity breaches. Note that the scope of EWOV is to work with consumers/landholders and energy businesses, not government.
- **DEECA response:** The new legislation is a VicGrid bill, and it aims to bring legislative powers regarding powerlines into line with other infrastructure types such as roads and pipelines. It provides clarity around rights and responsibilities.

CRG question: When a decision is made by EWOV, how are the businesses notified and what do they have to do?

- **EWOV response:** As members of the scheme, the businesses must adhere to the final decisions made by EWOV and comply with any action we tell the business to take in that decision.

CRG question: Regarding the resolution process and compensation, who assesses how the loss is paid for, and does it consider ongoing loss of production from company activities?

- **EWOV response:** Our cost recovery scheme allows EWOV to get detailed cost assessments, which are borne by the energy businesses. Loss that has not been crystallised can be considered if there is strong evidence.

CRG question: What is the difference between the NSW Renewable Energy Ombudsman and EWOV?

- **EWOV response:** New South Wales Renewable Energy Ombudsman office was set up through the Energy and Water Ombudsman NSW (EWON). EWON has been operating in renewable energy zones where agreements with landholders were already in place, so has not as yet had to deal with some of the challenges currently faced by Victorian landholders. EWON and EWOV talk to one another so we can each learn from the other's experience. Both offices have powers over the companies and not government.

CRG question: Does EWOV have personnel ready for the amount of likely new disputes arising from new transmission and renewable energy projects?

EWOV response: EWOV already has the in-house knowledge and experience to deal with the upcoming complaints. EWOV's funding model means that EWOV charges businesses per company complaint. Funding increases to cover additional resources as the number of disputes rise. TCV will be purchased by a company that has a transmission licence and so will need to be part of EWOV's scheme and will need to pay.

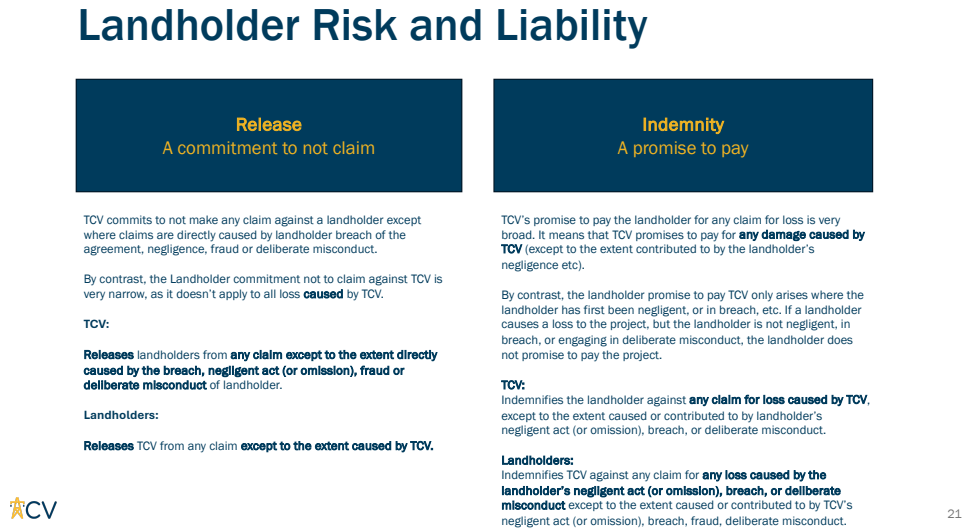
2.3 TCV UPDATES

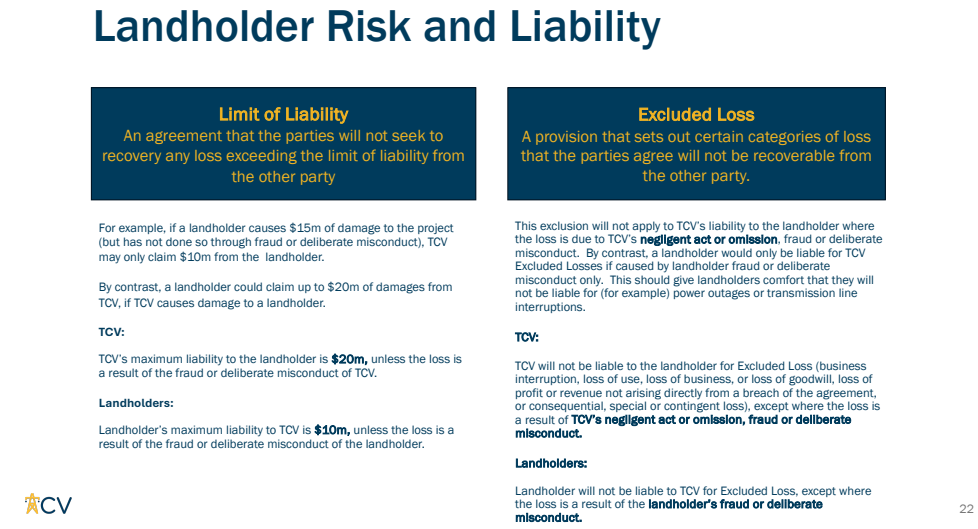
TCV presented updates to the CRG on VNI West matters in progress.

Liability TCV Senior Corporate Lawyer Francis Meehan (attending online) provided an update on TCV's landholder liability position, confirming that TCV has finalised a liability position – outlined in Land Easement and Access Package documentation – that is more favourable to landholders than TCV.

An overview of the position was provided, including:

- Release
- Indemnity
- Limit of liability
- Excluded loss.

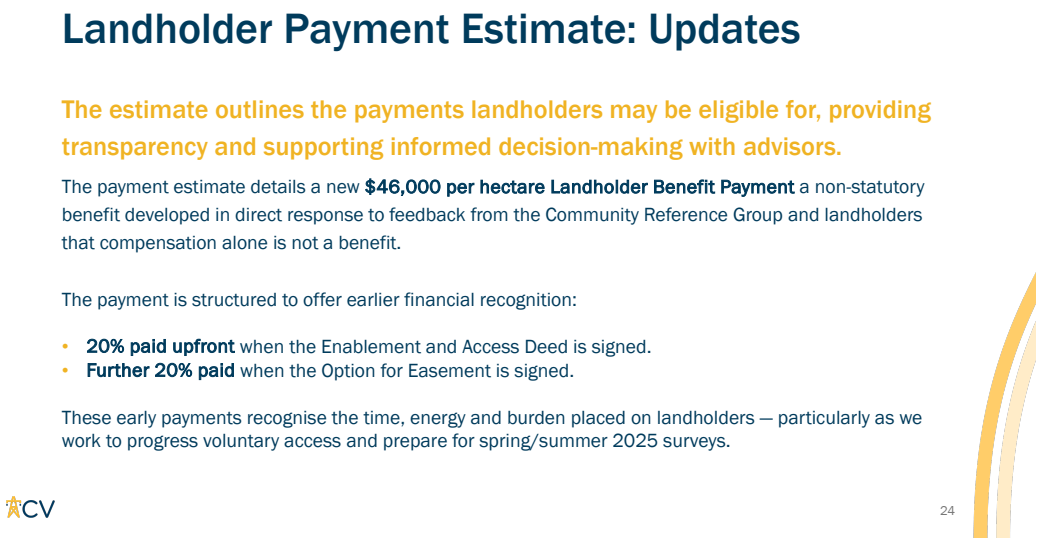




2.3.1 LAND EASEMENT AND ACCESS PACKAGE

TCV Senior Project Manager Mark Gledhill provided an update on documentation to be included in the Land Easement and Access Package provided to landholders.

Specifically, the Landholder Payment Estimate document now more clearly details a benefit payment calculated at $46,000 per hectare of easement on a property, plus compensation considerations and other components of a landholder's compensation and benefits package. TCV intends to send initial letters and hold meetings with landholders to discuss. The process is expected to run for between 12 and 18 months.



TCV Lead, Engagement and Social Performance Amy Pepper confirmed that TCV had listened to advice from the CRG in relation to how best to engage landholders on the Land Easement and Access Package and confirmed that there will be other ways for landholders to be better informed without having to engage with TCV directly.

CRG question: Are these payments tax free? The CRG strongly believes that these payments should be tax free.

- **TCV response:** TCV acknowledges that tax is an ongoing concern for landholder and clarified that this has been taken on notice. The subject was referred to VicGrid to review and continue discussions regarding tax reform. TCV reiterated that payments can be structured however landholders should seek independent financial advice.
- **VicGrid (observer) response:** Geoffrey Caine confirmed that there is a conversation currently happening with other States in relation to an approach to the Commissioner of Taxation about a standard ruling on this matter.

ACTION: TCV to provide updates where available on whether landholder payments will be tax free.

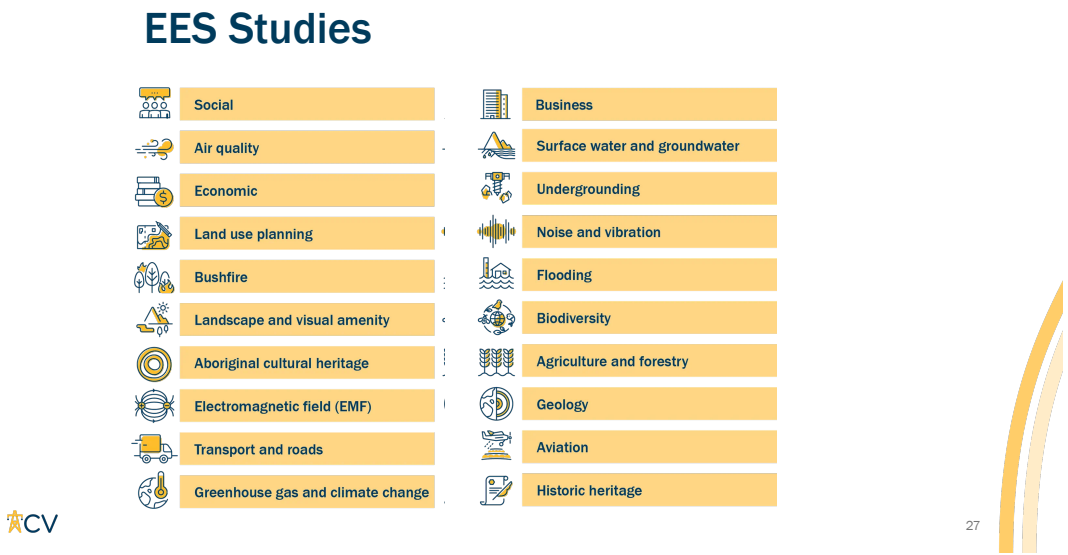
CRG question: Where does the requirement for $20 million public liability insurance for landholders come from? Is there a precedent as to why its set at this amount?

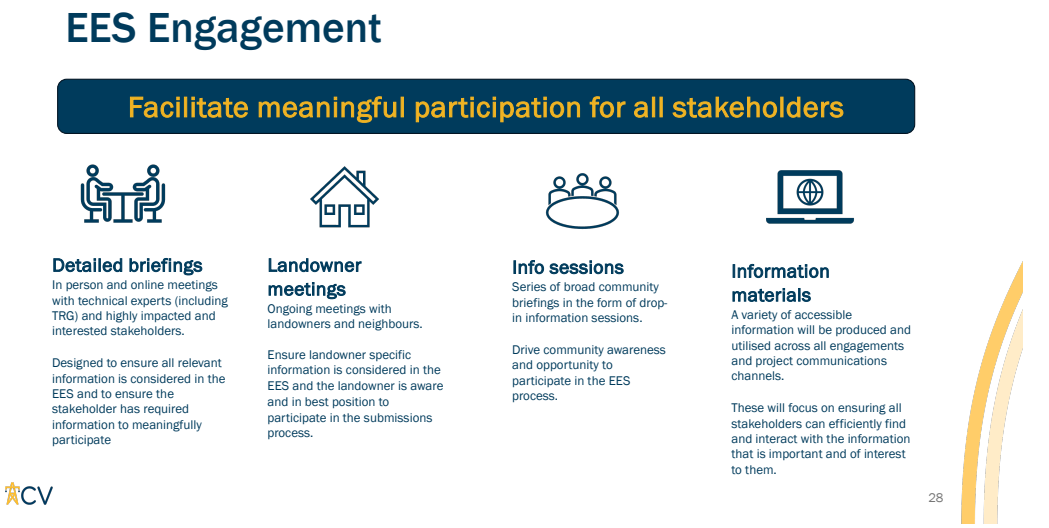
- **TCV response:** Taken on notice to confirm why $20m.

ACTION: TCV to provide context for why $20 million public liability insurance has been set as the requisite level for landholders.

2.3.2 ENVIRONMENT EFFECTS STATEMENT ENGAGEMENT

TCV Lead, Engagement and Social Performance Amy Pepper provided a reminder of studies to be completed under the Environment Effects Statement (EES) process for VNI West, and noted opportunities for CRG members, landholders and broader community to provide input into studies of interest.





ACTION: TCV to share slides and information through the CRG Secretariat regarding the EES engagement process and opportunities to provide input into studies ahead of EES public exhibition.

2.4 SOCIAL VALUE

TCV Lead, Engagement and Social Performance Amy Pepper and Good Energy Engagement Director (guest) Amy Abraham presented an overview of the social value approach for VNI West which aims to deliver long-term, measurable outcomes for communities directly impacted by VNI West. Detail provided of the proposed approach, and investment by TCV at a project level additional to Victorian Government community benefits allowances. It was noted that a social value budget is yet to be set, as it will be based on total project cost which hasn't been finalised; investment is likely to be in the tens of millions of dollars. Community involvement in the planning, governance and impact assessment is highly encouraged.

A Social Value Approach to Benefits Creation

Our goal is for VNI West to have a transformational and measurable positive impact on the social, economic and environmental outcomes that are most important to the communities affected by its development.

We're doing this because we're accountable to the people whose lives are affected by VNI West, and we want to acknowledge the communities that are supporting all Victorians.



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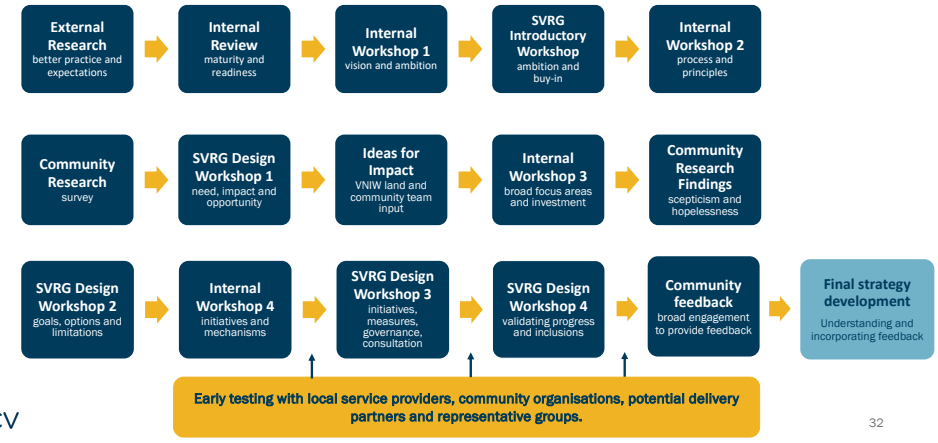
A Social Value Strategy is being co-developed with a Social Value Reference Group and will undergo extensive stakeholder consultation and public exhibition to ensure initiatives reflect true community needs and expectations. Partnerships to deliver initiatives will focus on local delivery to drive long-term capability building, with a focus on regional economic development. Discussions are underway with Federation University to ensure the impact of initiatives is independently evaluated.

Social Value Strategy Development Process



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CRG members were provided with an overview of the proposed social value initiatives currently under consideration.



Discussion

Amy Abraham asked the CRG two questions:

1. Would they like to be involved in helping to interpret community consultation results about scoping up potential projects?
2. Would the CRG like to be involved longer term in evaluating the Strategy's success?

CRG Question: How will the workshops run?

- **Amy Abraham response:** the structure and format of workshops to involve the CRG in social value and community benefits planning can be flexible and TCV is open to suggestions from members as to what would work best.

CRG Question: What is the life of the Social Value Strategy?

- **Amy Abraham response:** The Strategy contemplates a 30-year horizon – the life of the project – however the social value investment is likely to be provided upfront during the construction phase because that's where biggest impact is.

CRG Question: How is it funded?

- **TCV response:** The cost of delivering the Social Value Strategy will be included in the capital cost of VNI West.

CRG Statement: The cost will be covered essentially by increased electricity costs.

CRG Chair reiterated: the rationale behind the creation of social value investment programs which is that the burden of these energy infrastructure projects is shouldered by rural communities despite the majority of energy provision focussed towards urban areas.

CRG Question: Who applies for the money? Councils?

- **Amy Abraham response:** The investment is not likely to go to Council as they have recurrent funding already for community programs. It is more likely to be provided directly to community-based organisations such as Landcare, the Catchment Management Authorities or community groups. Council will play a support or facilitation role, but this isn't about giving money to Council. However, it is also worth understanding and considering the risks of giving money to certain community organisations. This information needs local input to understand and test.

ACTION: Chair to circulate two-pager social value document prepared by Max Fehring and follow up with CRG members seeking interest regarding their involvement in the Social Value Strategy specifically to:

1. To interpret community consultation results about scoping up potential projects?
2. To be involved longer term in evaluating the Strategy's success?

CRG question: Could the social value strategy include mental health programs?

- **Amy Abraham response:** Yes, mental health programs could be funded, however Federation University can provide advice on the challenges of program uptake with project funds. There is likely to be a bias against the funding if it's known that it came about because of VNI West. Essential Services review suggested mental health programs are a high priority so Amy suggested that more effort should go into on-ground engagement.
- **CRG comment:** TCV should be working with service providers to do a full assessment of community needs.
- **TCV comment:** TCV has been working with several health organisations to establish a better understanding of needs and opportunities to respond and will continue to pursue this.
- **CRG comment:** Any mental health program funded by social value investments need to be de-identified. There should be no publicity around the source of the funding.

2.5 GENERAL BUSINESS

CRG Chair noted: a number of CRG members wanted to ask specific questions relating to machinery heights under powerlines and the lack of guideline clarity. Given time constraints, the Chair offered to explore these questions out of session.

- **TCV comment:** CRG members are asked to provide specifications sheets for machinery that TCV should consider in ongoing design work for VNI West.

ACTION: Chair to follow up with CRG members who wish to ask specific questions regarding machinery heights under powerlines. Define specific questions and direct them to TCV.

FOLLOW UP ON ACTIONS

The Chair summarised the progress of actions in the register. See table of actions for detail.

2.6 OBSERVER COMMENTS

None.

2.7 PREVIOUS MINUTES

The May meeting minutes were approved with no objections. The minutes will go up on the TCV website.

2.8 UPCOMING MEETINGS

The date of the next CRG meeting will be confirmed.

Meeting closed at 8.24pm

3 Action register

ACTION #	DATE RAISED	ACTION ITEM	OWNER	DUE	STATUS
CRG 42	14/05/2025	TCV to investigate the need for neighbouring agreements to ensure clear liability and insurance protocol for damage to property that may influence adjacent landholders.	TCV	Aug–25	In progress
CRG 46	24/06/2025	TCV to provide context for why $20m public liability insurance has been set as the requisite level for landholders. Is this based on any sort of precedent?	TCV	Sep–25	In progress
CRG 47	24/06/2025	TCV to provide updates where available on whether landholder payments will be tax free.	TCV	Sep–25	In progress
CRG 48	24/06/2025	Chair to follow up with CRG members seeking interest regarding their involvement in the Social Value Strategy specifically to: 1. To interpret community consultation results about scoping up potential projects? 2. To be involved longer term in evaluating the Strategy's success?	Chair	Jul–25	In progress
CRG 49	24/06/2025	Chair to follow up with CRG members who wish to ask specific questions regarding machinery heights under powerlines. Define specific questions and direct them to TCV.	Chair	Jul–25	In progress

This report has been prepared by:

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Document review and authorisation

Project Number: #1871

Doc Version	Final/ Draft	Date	Author	PD Review	BST Review	Release approved by	Issued to
1.0	Draft	1/07/2025	M. Caffin E. Buchanan	C. Flanagan-Smith	B. Gravenor	C. Flanagan-Smith	CRG
2.0	Final	12/02/2026	M.Caffin	C. Flanagan-Smith	L. McKenzie	C. Flanagan-Smith	VicGrid for website