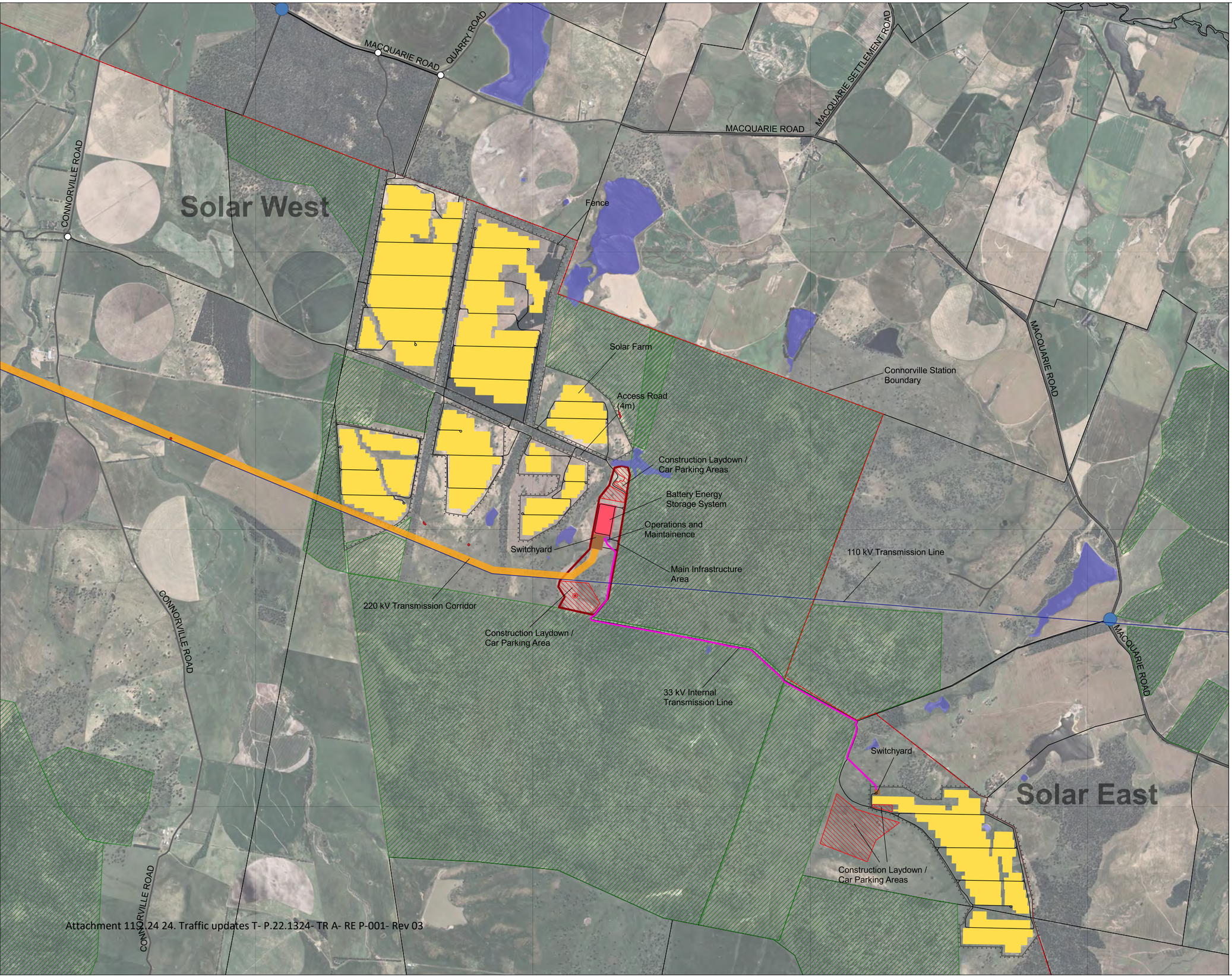
Master Plans

Appendix A

pitt&sherry



cogency

ROBERT LUXMOORE
Project Management

Masterplan Page 1
Overall Area

2210 - Northern Midlands Solar Farm

Existing Features
- Parcels
- Existing Road
- Conservation Covenant and Greening Australia Reserve
- Dam
- Watercourse
- 110 kV Transmission Line

Cultural Heritage Sites
- Artefact Scatter
- Isolated Artefact

Proposed Development
- Connorville Station
- Access Road
- Solar Farm
- Main Infrastructure Area
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area
- 220 kV Transmission Corridor
- 33 kV Internal Tranmission Line
- Fence
- Main Access Point
- Secondary/Emergency Access Point

Version: 6

Date: 09/08/2023

0 250 500 m

1:14,000 at A1

cogency

ROBERT LUXMOORE
Project Management

Masterplan Page 2
Transmission Line

2210 - Northern Midlands Solar Farm

Existing Features
- Parcels
- Existing Road
- Conservation Covenant and Greening Australia Reserve
- Dam
- Watercourse
- Transmission Line

Cultural Heritage Sites
- Artefact Scatter
- Isolated Artefact

Proposed Development
- Connorville Station
- Access Road
- Solar Farm
- Main Infrastructure Area
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area
- 220 kV Transmission Corridor
- 33 kV Internal Tranmission Line
- Fence
- Main Access Point
- Secondary/Emergency Access Point

Version: 6

Date: 09/08/2023

0 250 500 m

1:25,000 at A1

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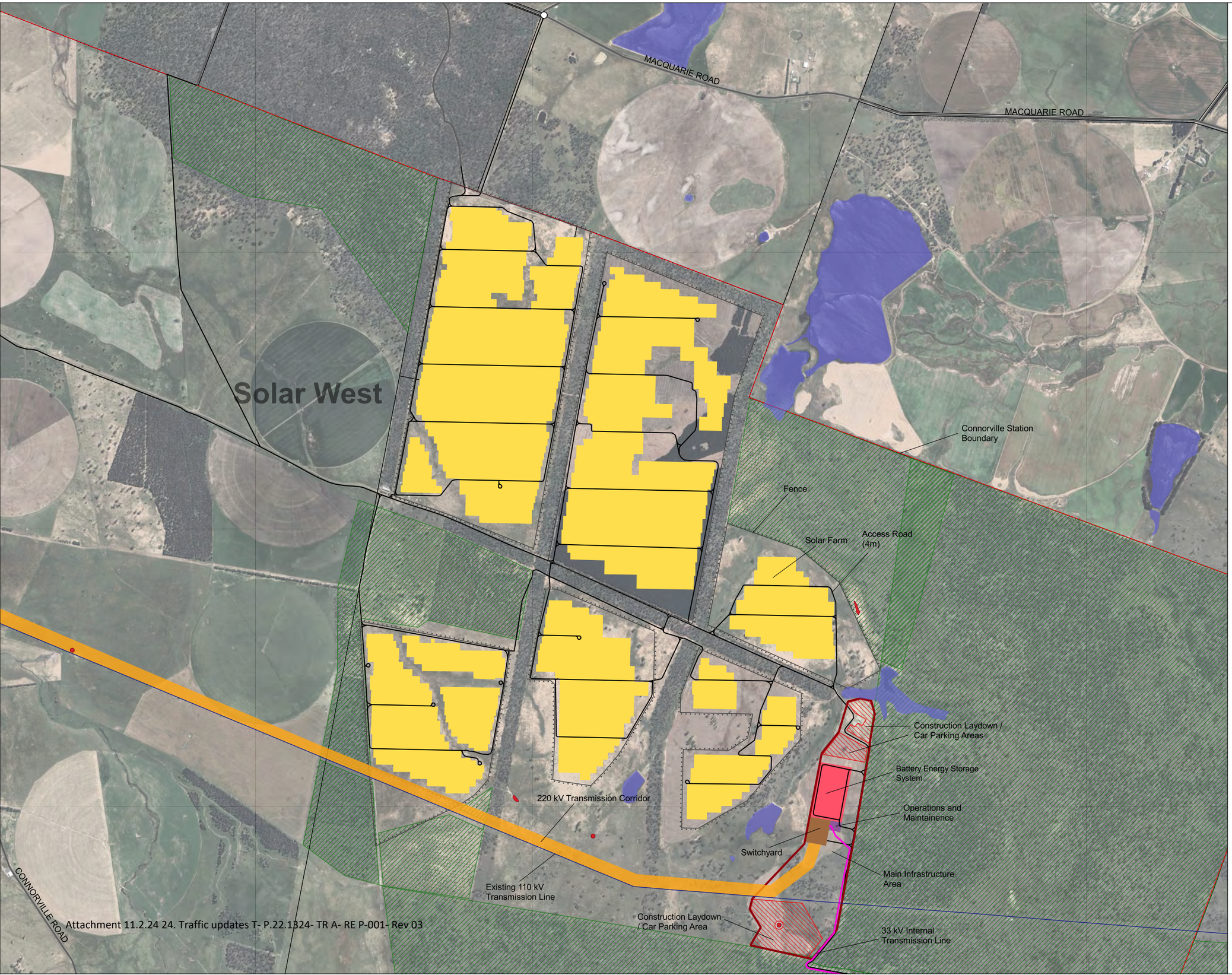
ROBERT LUXMOORE
Project Management

Masterplan Page 3
Transmission Line - Palmerston Substation
2210 - Northern Midlands Solar Farm

Existing Features
- Parcels
- Existing Road
- Dams
- Watercourse
- Palmerston Substation
- Transmission Line

Proposed Development
- 220 kV Transmission Corridor

Version: 6
Date: 09/08/2023
0 50 100 m
1:5,000 at A1



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ROBERT LUXMOORE
Project Management

Masterplan Page 4
West Area

2210 - Northern Midlands Solar Farm

Existing Features
- Parcels
- Existing Road
- Conservation Covenant and Greening Australia Reserves
- Dam
- Watercourse
- 110 kV Transmission Line

Cultural Heritage Sites
- Artefact Scatter
- Isolated Artefact

Proposed Development
- Connorville Station
- Access Road
- Solar Farm
- Main Infrastructure Area
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area
- 220 kV Transmission Corridor
- 33 kV Internal Tranmission Line
- Fence
- Main Access Point
- Secondary/Emergency Access Point

Version: 6

Date: 09/08/2023

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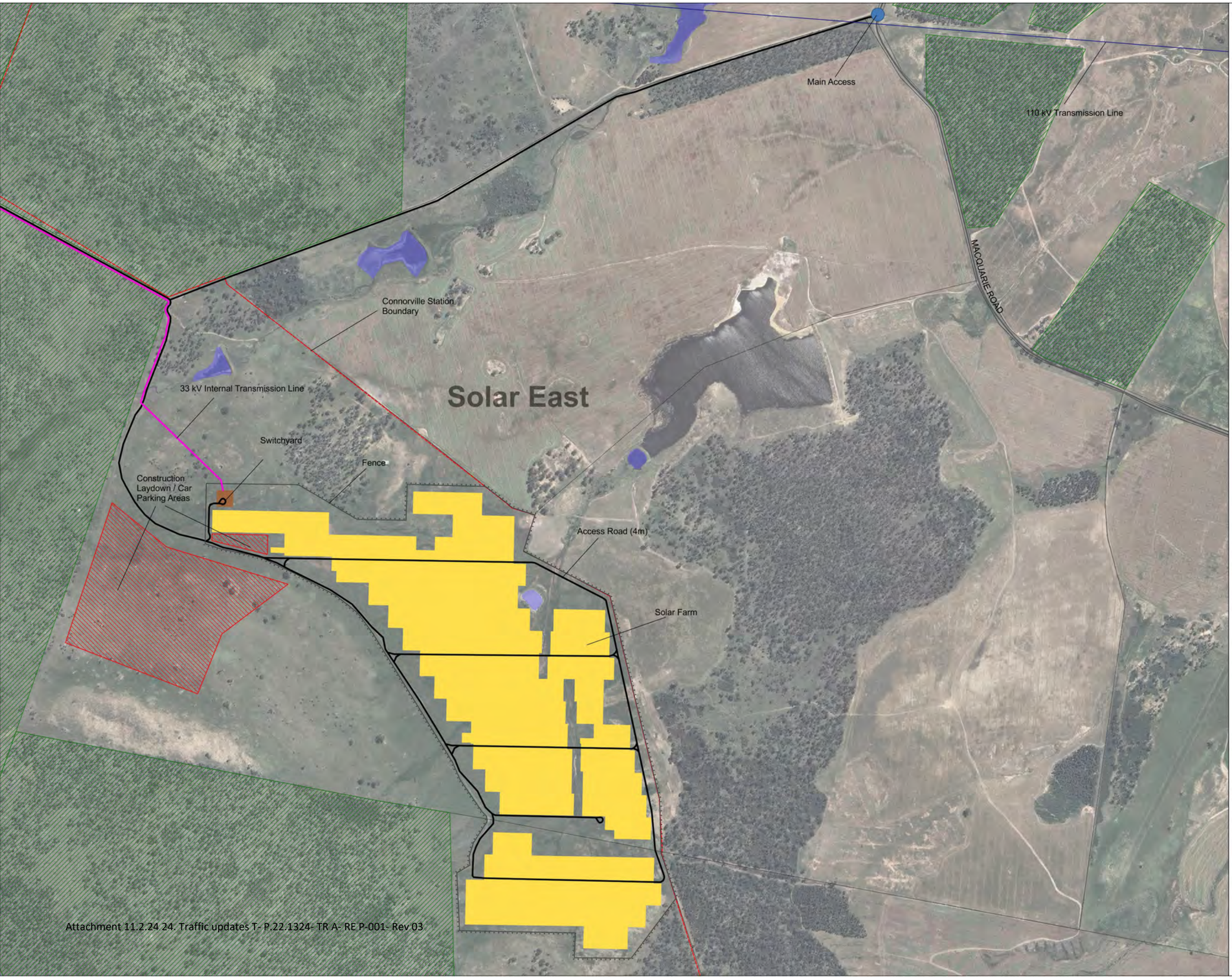
1:8,000 at A1



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ROBERT LUXMOORE Project Management

Masterplan Page 5
East Area

2210 - Northern Midlands Solar Farm

Existing Features
- Parcels
- Existing Road
- Conservation Covenant and Greening Australia Reserves
- Dam
- Watercourse
- 110 kV Transmission Line

Proposed Development
- Connorville Station
- Access Road
- Solar Farm
- Swtichyard
- 33 kV Internal Tranmission Line
- Construction Laydown / Car Parking Area
- Fence
- Main Access Point
- Secondary/Emergency Access Point

Version: 6

Date: 09/08/2023

0 50 100 150 m

1:5,000 at A1

pitt&sherry

Northern Midlands Solar Farm – Traffic Impact Assessment

Pitt & Sherry (Operations) Pty Ltd
ABN 67 140 184 309

Phone 1300 748 874
info@pittsh.com.au
pittsh.com.au

Located nationally —
Melbourne
Sydney
Brisbane
Hobart
Launceston
Newcastle
Devonport

Contact

Sandra Diaz
(03) 6210 1421
sdiaz@pittsh.com.au

SAVIDRIDGE ROAD
EASTFIELD ROAD
POATINA ROAD
MACQUARIE ROAD
LAKE RIVER ROAD
BILLOP ROAD
CONNORVILLE ROAD
CASEYS ROAD
GLEN ROAD

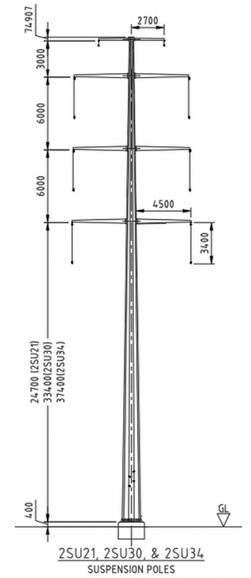
Palmerston Substation

See Inset

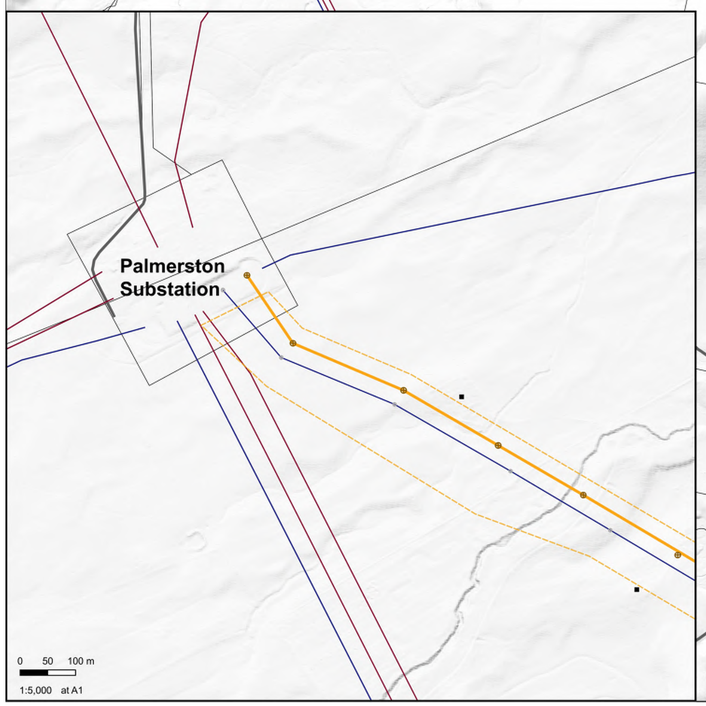
Solar West

Indicative Elevations

33 kV Poles



220 kV Poles



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ROBERT LUXMOORE
Project Management

Transmission Line Concept Plan Page 1

2210 - Northern Midlands Solar Farm

- Roads
- Parcels
- Dwellings
- Existing 110 kV Transmission Line
- Existing 220 kV Transmission Line
- Existing 110 kV Poles

Proposed Transmission

- 220 kV Transmission Corridor
- 220 kV Transmission Line
- 220 kV Transmission Poles
- 33 kV Transmission Line
- 33 kV Poles

Proposed Solar Farm

- Secondary/Emergency Access Points
- Main Access Points
- Main Infrastructure Area
- Fence
- Access Roads
- Solar Farm
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area

Version: 1.2

Date: 12/09/2023

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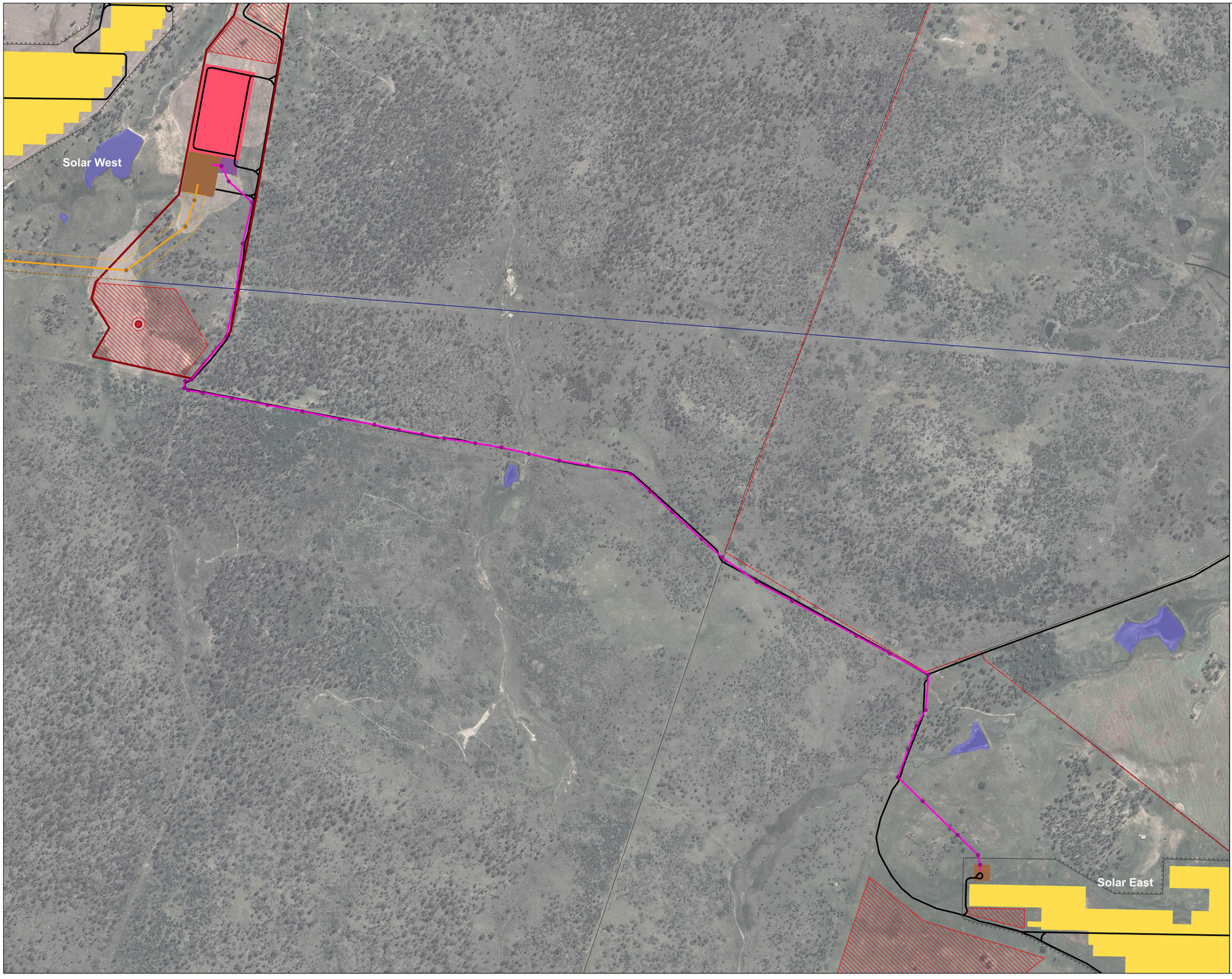

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ROBERT LUXMOORE
Project Management

Transmission Line Concept Plan Page 2

2210 - Northern Midlands Solar Farm

- Roads
- Parcels

Proposed Transmission
- 220 kV Transmission Line
- 220 kV Transmission Poles
- 220 kV Transmission Corridor
- 33 kV Poles
- 33 kV Transmission Line

Proposed Solar Farm
- Main Infrastructure Area
- Fence
- Access Roads
- Solar Farm
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area
- Access Roads

Version: 1.2

Date: 12/09/2023

0 50 100 150 m

1:5,000 at A1

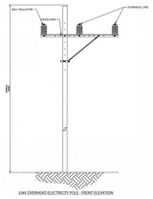
SAVAGE ROAD
EASTFIELD ROAD
POATINA ROAD
MACQUARIE ROAD
LAKE RIVER ROAD
BILLOP ROAD
CONNORVILLE ROAD
CASEYS ROAD
GLEN ROAD

Palmerston Substation

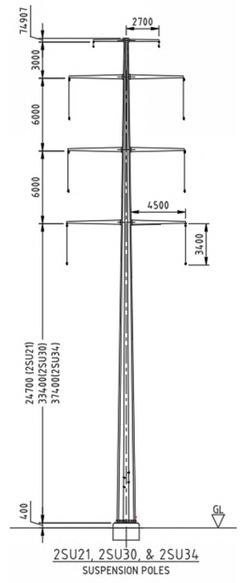
See Inset

Solar West

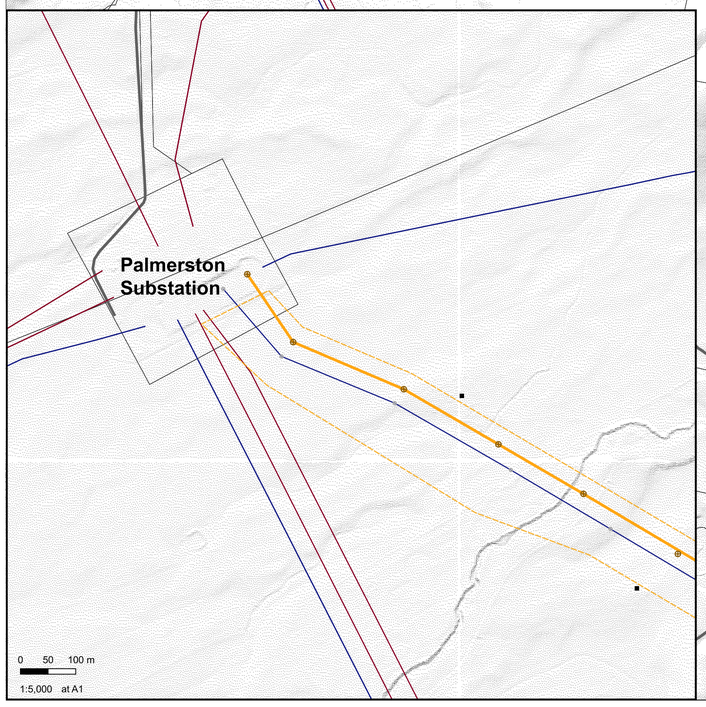
Indicative Elevations



33 kV Poles



220 kV Poles



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ROBERT LUXMOORE
Project Management

Transmission Line Concept Plan Page 1

2210 - Northern Midlands Solar Farm

- Roads
- Parcels
- Dwellings
- Existing 110 kV Transmission Line
- Existing 220 kV Transmission Line
- Existing 110 kV Poles

Proposed Transmission
- 220 kV Transmission Corridor
- 220 kV Transmission Line
- 220 kV Transmission Poles
- 33 kV Transmission Line
- 33 kV Poles

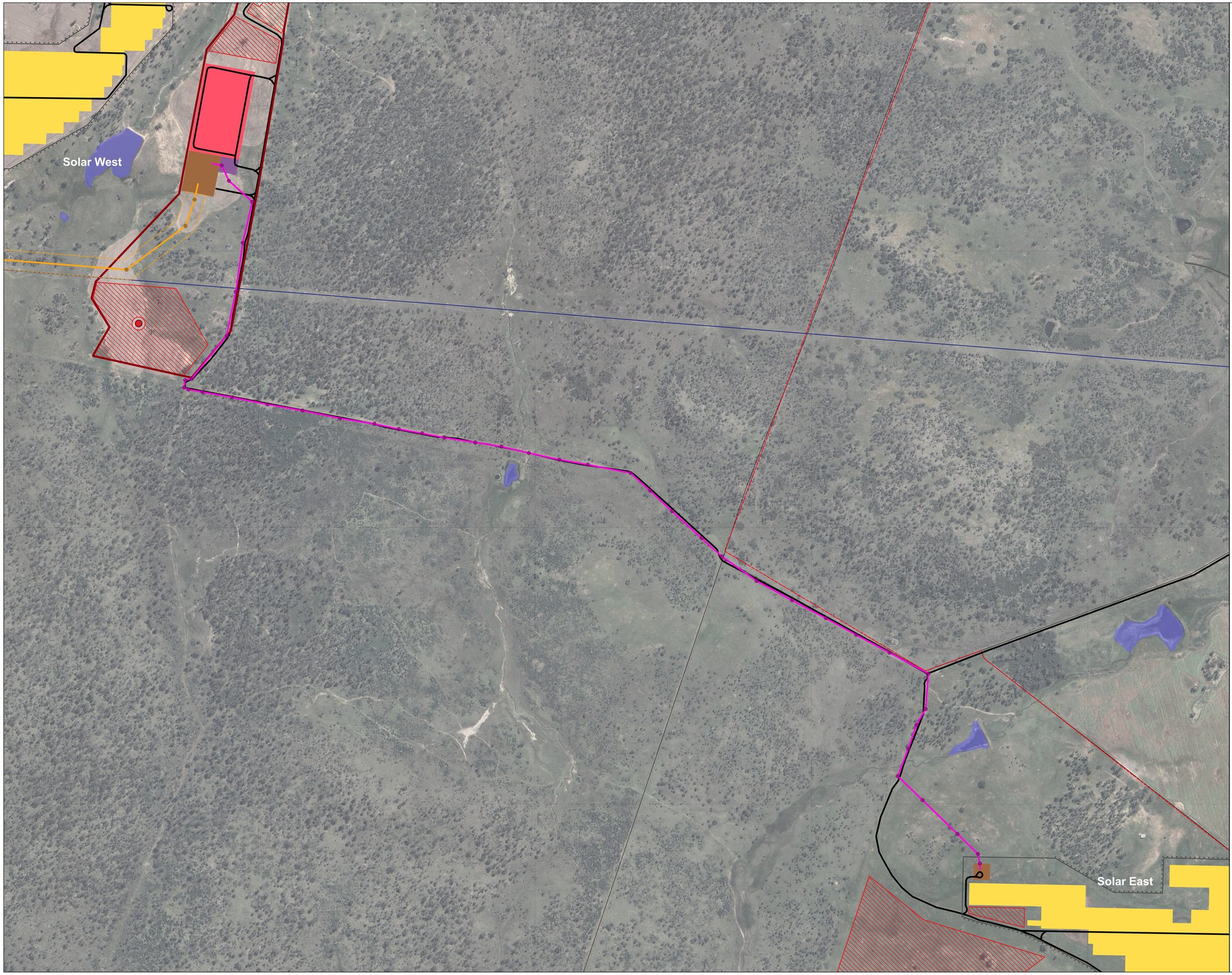
Proposed Solar Farm
- Secondary/Emergency Access Points
- Main Access Points
- Main Infrastructure Area
- Fence
- Access Roads
- Solar Farm
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area

Version: 1.2

Date: 12/09/2023

0 250 500 m

1:20,000 at A1



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ROBERT LUXMOORE
Project Management

Transmission Line Concept Plan Page 2

2210 - Northern Midlands Solar Farm

- Roads
- Parcels

Proposed Transmission

- 220 kV Transmission Line
- 220 kV Transmission Poles
- 220 kV Transmission Corridor
- 33 kV Poles
- 33 kV Transmission Line

Proposed Solar Farm

- Main Infrastructure Area
- Fence
- Access Roads
- Solar Farm
- Battery Energy Storage System
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- Swtichyard
- Construction Laydown / Car Parking Area
- Access Roads

Version: 1.2

Date: 12/09/2023

0 50 100 150 m

1:5,000 at A1

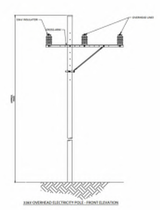
SAVIDRIDGE ROAD
EASTFIELD ROAD
POATINA ROAD
MACQUARIE ROAD
LAKE RIVER ROAD
BILLOP ROAD
CONNORVILLE ROAD
CASEYS ROAD
GLEN ROAD

Palmerston Substation

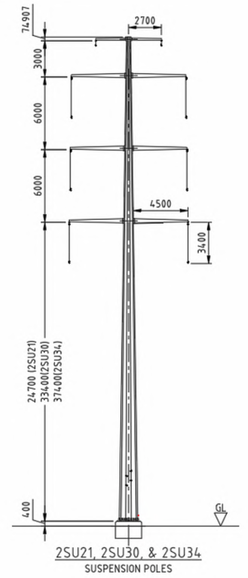
See Inset

Solar West

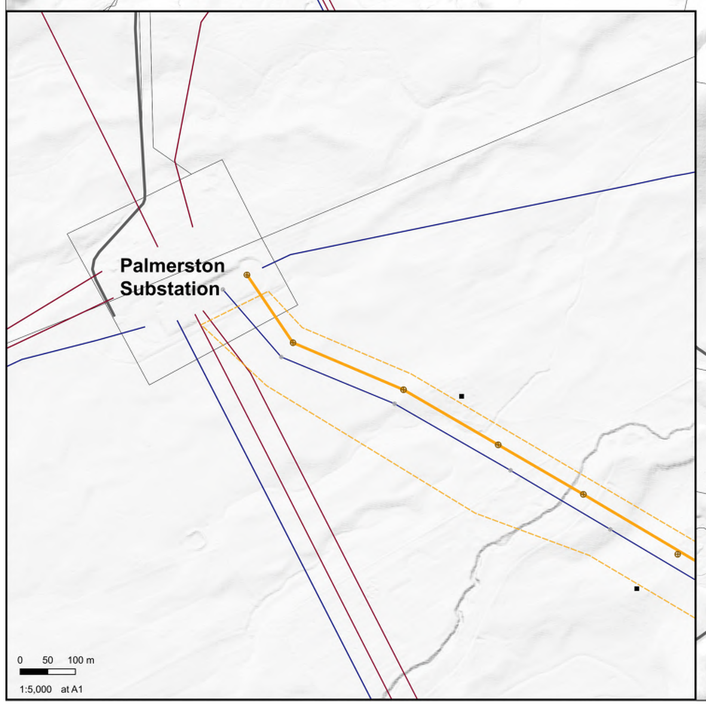
Indicative Elevations



33 kV Poles



220 kV Poles



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ROBERT LUXMOORE
Project Management

Transmission Line Concept Plan Page 1

2210 - Northern Midlands Solar Farm

- Roads
- Parcels
- Dwellings
- Existing 110 kV Transmission Line
- Existing 220 kV Transmission Line
- Existing 110 kV Poles

Proposed Transmission

- 220 kV Transmission Corridor
- 220 kV Transmission Line
- 220 kV Transmission Poles
- 33 kV Transmission Line
- 33 kV Poles

Proposed Solar Farm

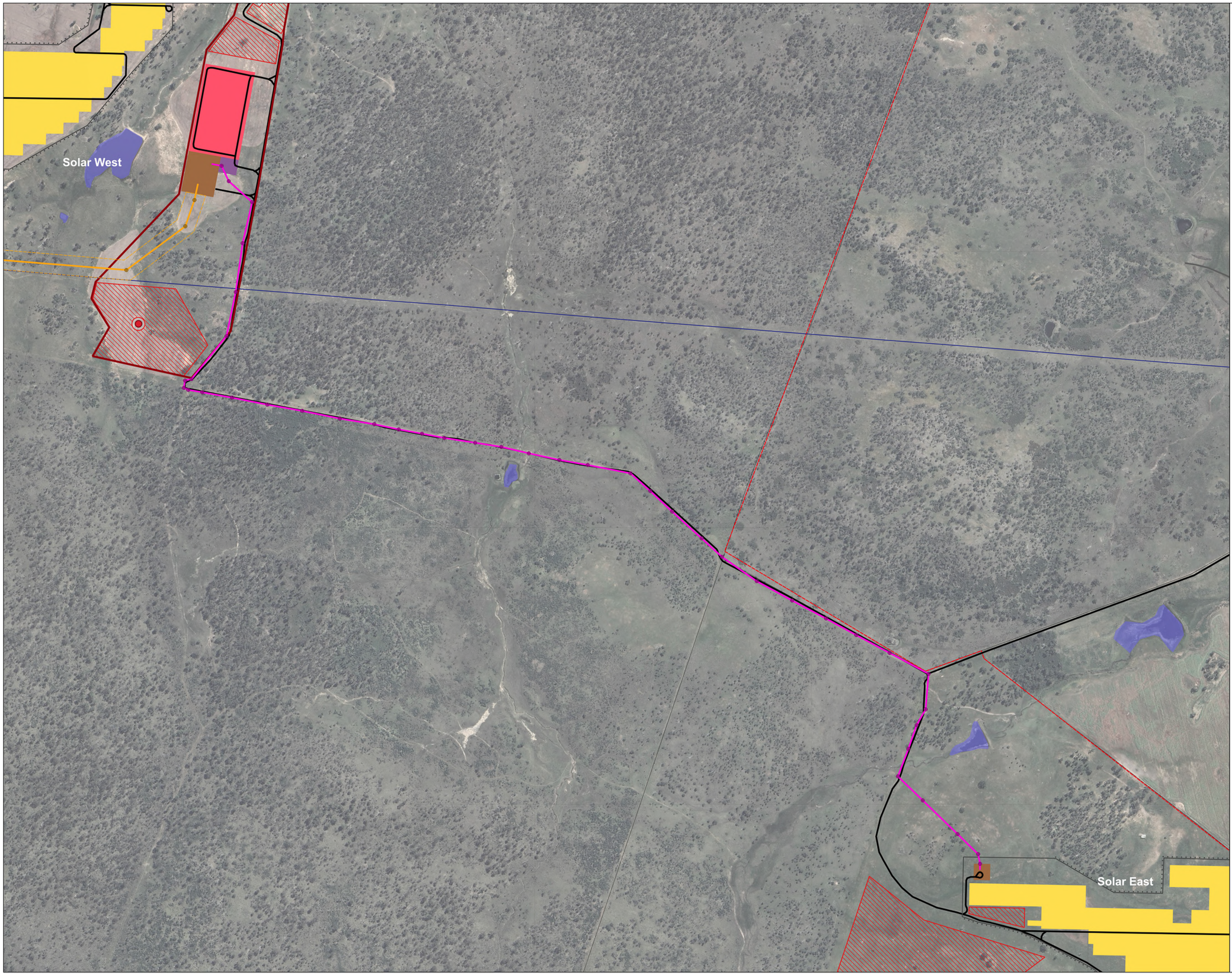
- Secondary/Emergency Access Points
- Main Access Points
- Main Infrastructure Area
- Fence
- Access Roads
- Solar Farm
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area

Version: 1.2

Date: 12/09/2023

0 250 500 m

1:20,000 at A1



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ROBERT LUXMOORE
Project Management

Transmission Line Concept Plan Page 2

2210 - Northern Midlands Solar Farm

- Roads
- Parcels

Proposed Transmission
- 220 kV Transmission Line
- 220 kV Transmission Poles
- 220 kV Transmission Corridor
- 33 kV Poles
- 33 kV Transmission Line

Proposed Solar Farm
- Main Infrastructure Area
- Fence
- Access Roads
- Solar Farm
- Battery Energy Storage System
- Operations and Maintainence
- Swtichyard
- Construction Laydown / Car Parking Area
- Access Roads

Version: 1.2

Date: 12/09/2023

0 50 100 150 m

1:5,000 at A1

Tasmanian Government

Crown Landowner Consent Application

Department of State Growth

Application Submitted: Tuesday, 29 August, 2023 5:13 PM

Applicant Details

Applicant First Name:	Billy	Applicant Last Name:	Greenham
Company Name:	On behalf of Connorville Estates Pty Ltd	Postal Address:	394 Connorville Road, Cressy, Tas 7302
Contact Phone Number:	0422424144	Contact Email:	billy@cogencyaustralia.com.au

Application Details

Type of Application to Council:	Planning permit application
Development Involve Any Of The Following:	

Details of Proposal

Street Address:	394 Connorville Road, Cressy, Tas 7302
Description of Site:	The Proposed Northern Midlands Solar Farm spans multiple parcels within the landholding of 'Connorville Station', 394 Connorville Rd, Cressy. A proposed overhead transmission line will connect the solar farm to Palmerston Substation. The proposed transmission line crosses multiple other landholdings. The site comprises large agricultural properties, with access to multiple council-managed roads, as well as Poatina Road. A site layout masterplan is enclosed with this application.
Impact on Crown Land or State Road:	For construction purposes of the transmission line only, site access is required from Poatina Rd, via Billopp Rd, to the transmission line easement. The supporting TIA states that traffic management measures will be sufficient to control the minor level of construction traffic (including restricting in/out movements to eastern approach only). However, detailed design for the transmission line is not complete, and there is a (very) low chance access works at Billopp Road / Poatina Rd are needed.
Description of Proposal:	The Northern Midlands Solar Farm Proposal is a Discretionary Development Application for use and development of land for Utilities (a large-scale solar farm and associated infrastructure, including battery storage and electricity transmission infrastructure) at 'Connorville Station', Cressy. The proposed transmission line will follow an existing transmission line and easement to connect to the Palmerston Substation. The enclosed planning report provides further detail, as well as supporting TIA.
Local Council Area:	Northern Midlands

Previous Contact With Anyone At The Department Of State Growth:	Garry Hills, 22 August 2023

Supporting Documents

Development Involve Any Of The Following:	
Drainage:	No
Sewer:	No
Altered Access To State Road Network:	Yes T-P.22.1324-TRA-REP-001-Rev03.pdf
Planning Permit Application:	APPLICATION-FORM-Planning - Northern Midlands Solar Farm - signed Proponent.pdf
Files to be send separately due to size limit:	Yes
All Plans, Reports And Supporting Documentation:	Crown Consent Northern Midlands Solar Farm.zip
Current Certificate of Title details:	Attachment to Development Application Form - Title Details.pdf

Back

NORTHERN
MIDLANDS
COUNCIL

13 Smith Street / PO Box 156
Longford Tas 7301

PLANNING APPLICATION

Phone: 6397 7303
E-mail: planning@nmc.tas.gov.au

PLANNING APPLICATION
Proposal

Description of proposal: The Proposal is for a large-scale solar energy installation and associated infrastructure, defined as 'Utilities' in the Northern Midlands Planning Scheme. The associated infrastructure includes a new 220 kV transmission line, an internal 33 kV line, a battery energy storage system (BESS), inverters, access roads, among others.

Please refer to the enclosed Planning Report for a full description of the Proposal, the definitions, and the permit triggers against the Northern Midlands Planning Scheme.

.....

.....

.....

(attach additional sheets if necessary)

If applying for a subdivision which creates a new road, please supply three proposed names for the road, in order of preference:

1..... 2..... 3.....

Site address: *'Connorville Station', 394 Connorville Road, Cressy, 7302 Tasmania*.....

(includes Council road reserves - Macquarie Rd, Billopp Rd).....

CT no: See attached list of Certificates of Title.....

Estimated cost of project *Greater than $10 million**..... *(include cost of landscaping, car parks etc for commercial/ industrial uses)*

**Estimation of capital costs covering all components are difficult to estimate for a praposal of this scale*

Are there any existing buildings on this property? ***Yes*** */ No*

If yes – main building is used as ...The Connorville Station buildings are located outside of the proposed Development Area.....

If variation to Planning Scheme provisions requested, justification to be provided:

...N/A.....

.....

.....

.....

.....

(attach additional sheets if necessary)

Is any signage required? ...N/A.....

(if yes, provide details)

Applicant: Rebecca Wardle, Director, Cogency Australia Pty Ltd.....

Signature of Applicant: .....**Date:** 25 May 2023.....

Applicant's Details:

Postal address: 61 Bangalore Street, Kensington VIC 3031.....

Phone: 0400 797 106..... Mobile: 0400 797 106.....

E-mail: rebecca@cogencyaustralia.com.au.....

☑ I agree to receive communication regarding this application via email (please tick)

Name of Owner/s of subject site: Northern Midlands Council (road reserves), & Connorville Estates Pty Ltd.

(If the subject site is Crown land, owned by the Council or administered by the Council or the Crown, the application must be signed by either the responsible Minister of the Crown (or the Minister's delegate) or by the General Manager of the Council, and must be accompanied by written permission of that Minister or general manger to the making of the application.)
If the proposal involves works to an existing access or a new access the application must be signed by either the responsible Minister of the Crown (or the Minister's delegate) or by the General Manager of the Council and must be accompanied by the written permission of that Minister or general manager to the making of the application.

Owner's postal address: 394 Connorville Road, Cressy, 7302 Tasmania .....

Owner's email address: roderic@connorville.com.au.....

As the owner of the land, I consent to the application being submitted,

As General Manager,
Northern Midlands Council **Signed:** .....**Date:** 30-8-2023

OR

As the applicant, I declare that I have notified the owner of the application

Signed: .....**Date**: .....

Right of Way:
If the subject site is accessed via a right of way, the owner of the ROW must also be notified of the application.

Name of Owner/s of ROW: .....

ROW Owner's Postal Address: .....
As the applicant, I have notified the owner of the ROW of the application

Signed: .....**Date**: .....
(attach extra page if required)

Office use only:

Paid $..... Date: ..... Receipt No: ..... (Code 01)

Ref: **P1...../** ..... Discretionary / Permitted / No Permit Required

Attachments:

☑ **Site plan** *(A4 or A3) showing:*
- new buildings, works and alterations
- north point, relative site and floor levels
- lot boundaries, contours, road frontages, rights of way, easements and any services over the land
- location of any existing buildings or structures on the land or adjoining lots
- existing natural features such as trees, watercourses etc
- items to be demolished, areas to be cut and filled
- vehicle access points to roads and provisions for car parking & manoeuvring
- provision of open space, including gradients, dimensions, access and adjoining open spaces
- provisions for drainage
- a completed environmental supplement for commercial or industrial developments

☑ **Adequate information to fully explain proposal, its intent, compatibility with environs & justification for any variation of Scheme provisions**

☑ **Locality plan showing:**
- nearby streets
- nearby buildings & features

☑ **Landscape plans & elevations** *(A4 or A3) showing:*
- existing vegetation
- proposed plantings
- trees to be removed or land clearing and measures to prevent site soil erosion / pollution

☑ **Proposal plans/drawings** *(A4 or A3) showing:*
- floor plan (inc area in m^2)
- building elevations (inc heights of building)
- external materials and proposed colour scheme
- type and colour and construction materials on all external surfaces
- details of external lighting including the location, direction and strengths of external lights and proposed baffle devices
- details of signage required

☑ **Consent of the property owner;**

☑ **Copy of title plan & easements** (available from Service Tas)

☑ **Other reports** (eg engineering)

☑ **Fees**
Application fees are based on estimates provided by the applicant when the planning application is made – an adjustment may be levied when a project cost is provided at building application stage.

Applications may be emailed to Planning@nmc.tas.gov.au, and application fees may be paid over the phone to Council's receptionist.

PRIVACY STATEMENT

The Northern Midlands Council abides by the *Personal Information Protection Act 2004* and views the protection of your privacy as an integral part of its commitment towards complete accountability and integrity in all its activities and programs.

Collection of Personal Information: The personal information being collected from you for the purposes of the *Personal Information Protection Act, 2004* and will be used solely by Council in accordance with its Privacy Policy. Council is collecting this information from you in order to process your application.

Disclosure of Personal Information: Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information. External organisations to whom this personal information will be disclosed as required under the *Building Act 2016*. This information will not be disclosed to any other external agencies unless required or authorised by law.

Correction of Personal Information: If you wish to alter any personal information you have supplied to Council please telephone the Northern Midlands Council on (03) 6397 7303. Please contact the Council's Privacy Officer on (03) 6397 7303 if you have any other enquires concerning Council's privacy procedures.

Attachment to Development Application Form – Site Title Details

Connorville Station (Energy installation & Transmission)

Detail			
Location	394 Connorville Road, Cressy, 7302 Tasmania		
Certificates of title	*Title ID*	*Council Property ID:*	*Easements / Restrictions?*
	132 520 /1	675 14 89	Yes – listed in folio text
	145 787 /1	268 01 18	Yes – listed in folio text
	145 788 /1	268 01 34	Yes – listed in folio text
	97 / 24 DO	*General Law* 675 14 70	No
	133 307 /1	675 14 70 (Transmission line only)	Yes – listed in folio text

Access Tracks

Address	Council Property ID	Title Detail	Easements / Restrictions?
Lot 1 Macquarie Road, Campbell Town TAS 7210	2680126	145786/3	Yes – listed in folio text and schedule enclosed
'Tier View' – 3504 Macquarie Rd Cressy TAS 7302	6751534	101914/1	Yes – listed in folio text, plus Part 5 Agreements enclosed
Macquarie Road, Cressy TAS 7302	6751518	31760/1	No
'Pisa' - 3979 Macquarie Road, Cressy TAS 7302	6751462	165632/1	Yes – listed in folio text

220 kV Transmission Line (Linear route) and Palmerston Substation

Address	Council Property ID	Title Detail	Easements / Restrictions?
543 Lake River Road, Cressy TAS 7302	1499659	137968/1	Yes – listed in folio text
'Park nook' 543 Lake River Road, Cressy TAS 7302	6752932	138284/1	Yes – listed in folio text
Near 543 Lake River Road (LGA Subdivision Road)	0	110322/2	Yes – listed in folio text
543 Lake River RD Cressy TAS 7302	1499659	110322/1	Yes (schedule enclosed)
Lake River RD Cressy TAS 7302	1694745	103677/2	Yes – listed in folio text
'Rock Thorpe' – 318 Lake River Road, Cressy TAS	6752924	204030/1	Yes – listed in folio text
4792 Poatina Road, Cressy TAS 7302	3300690	126579/3	Yes – listed in folio text
5000 Poatina RD Cressy TAS 7302	3300682	125220/1	Yes (listed in folio text)
'Woodside' 4740 Poatina Road, Cressy TAS 7302	6753425	126579/2	Yes – listed in folio text
'Palmerston Transend SUB STN' - 4554 Poatina Rd Cressy TAS 7302	6753097	142369/1	Yes – listed in folio text
'Palmerston Transend SUB STN' - 4554 Poatina Rd Cressy TAS 7302	6753097	142369/3	Yes – listed in folio text

Road Reserves (access points construction)

Road	Owner/Manager
Macquarie Road	**Northern Midlands Council**
Lake River Road	**Northern Midlands Council**
Billopp Road	**Northern Midlands Council**
Poatina Road	Department of State Growth

NORTHERN
MIDLANDS
COUNCIL

Our ref: PLN-23-0091

28 June 2023

Rebecca Wardle
Director
Cogency Australia Pty Ltd
61 Bangalore St
KENSINGTON VIC 3031

By email: rebecca@cogencyaustralia.com.au

Dear Ms Wardle

Additional Information Required for Planning Application PLN-23-0091
Solar energy facility & associated infrastructure - 394 Connorville Road, Cressy and other properties

I refer to the abovementioned application which has been reviewed by Council's consultant planner and relevant council officers. The following information is required under section 54 of the *Land Use Planning and Approvals Act* 1993:

PLANNING

1) Works in road reserve

Please clarify the extent of works - if any - proposed in association with access to the development site for both construction and ongoing operation, within the following road reservations:

(a) Macquarie Road (Council); and
(b) Poatina Road (Department of State Growth).

Note: any works will be required to meet the respective Australian Standard for design and construction.

2) Owner's authority

If works are proposed within a road reservation identified in 1) above, the following requirements for owner's authority apply:

(a) In accordance with s52(1B) of the *Land Use Planning and Approvals Act* 1993, if works are proposed within land owned or administered by the Crown, please provide a planning application form signed by the Minister of the Crown responsible for the administration of the respective land or their appointed delegate, and written permission to the making of the application from the Minister of the Crown

responsible for the administration of the respective land or their appointed delegate; and

(b) In accordance with s52(1B) of the *Land Use Planning and Approvals Act* 1993, if works are proposed within land owned or administered by the Northern Midlands Council, please provide a planning application form signed by the General Manager or their appointed delegate and written permission to the making of the application from the General Manager or their appointed delegate.

3) 33kV poles

Please clarify whether planning permission is sought, as part of the current application, for the 33kV poles required for internal overhead transmission. If so, please identify a nominal number of poles and their location. It is acknowledged that the number and location may vary at the time of implementation of the development following issue of a permit. For this reason the maximum potential number of poles should be indicated.

4) 220kV pylons

The documentation submitted with the application indicates that the number, specific location, and design of the required 220kV pylons cannot be determined at this stage. Accordingly, it is not possible to assess the scope of that element of the development, or its potential impacts as part of the current application. Please confirm the various statements made in the Cogency *Planning Application Report* (25 May 2023) that the 220kv pylons and associated transmission lines are proposed to be the subject of a future separate application for planning permission, at which time the location and design of the respective infrastructure will be detailed together with a relevant visual impact and environmental assessments.

ENVIRONMENTAL

5) Management of material

Please clarify the extent of site modification proposed in terms of management of soil and vegetation clearance (stockpiling, removal, rehabilitation etc).

6) Noise levels

Please provide detail regarding:

(a) proposed noise levels and hours of operation (during both construction and operation);
(b) battery noise emissions.

7) Impact of works

Please provide information addressing the potential impacts of internal road works on overland flow. Will internal roadworks provide potential for damming of overland flow, and if so, how is it proposed to be managed?

8) Management of water quality

Please provide further information regarding management of water quality exiting the site into neighbouring properties and waterways.

HYDRAULICS/FLOOD HAZARD

9) Flood hazard mapping

Please provide a plan (or plans) showing the masterplan overlaid by the flood hazard mapping.

Note: There is a lot of 'flooding' on the flood maps provided in the Flood Impact Assessment, but most of it is hazard band 1 which is generally safe. It would be helpful to see where hazard bands of 2 and above sit within the proposed layout. Whilst it appears that the layout has been adjusted to accommodate the flow paths, it is unclear how the H2 and above hazards align.

ENGINEERING

10) Impacts on Council roads

Please provide further information regarding the potential for impact on Council roads - notably Macquarie Road – and proposed management regime during both construction and operation.

Note: It is expected that detail will be provided in the CMP, and that an appropriate permit condition would require a pre-dilapidation report, on-going monitoring and a commitment to repair if and as necessary.

11) Connorville Road

Please provide clarification regarding the proponent's intentions for Connorville Road.

Note: Council's Engineer advises that Council does not maintain Connorville Road and does not regard it as a Council Road.

In accordance with Section 54 of the *Land Use Planning and Approvals Act* 1993, the statutory period for processing the application will not recommence until the requested information has been supplied to the satisfaction of the Planning Authority. Please send any email correspondence to planning@nmc.tas.gov.au and include the reference **PLN-23-0091**. If you have any queries, please contact Council's Planning Section on 6397 7301, or e-mail planning@nmc.tas.gov.au

Yours sincerely

Paul Godier
SENIOR PLANNER

cogency

14 September 2023

Paul Godier, Senior Planner
Northern Midlands Council
Via email: paul.godier@nmc.tas.gov.au

Our Project Ref: 2210

Dear Paul,

Northern Midlands Solar Farm Development Application PLN-23-0091
Response to Request for Further Information (RFI)

Thank you for your RFI letter dated 28 June 2023. Please find below our response to each of the requests in Table 1, as well as the following documents submitted as new or updated information:

- Amended Planning Report, prepared by Cogency, 14 September 2023 (clean version and 'tracked changes' version)
- Transmission Line Concept Plan, prepared by Cogency, 12 July 2023, containing:
  - External 220 kV transmission concept layout
  - Internal 33 kV transmission concept layout
- Flood hazard mapping, prepared by Cogency (Pitt & Sherry data), July 2023
- Amended Traffic Impact Assessment (TIA), prepared by Pitt & Sherry, 29 August 2023
- Additional photomontages, prepared by Moir Landscape
- Signed application form and written consent to the Proposal from the General Manager, Northern Midlands Council (for works in road reserve) 30 August 2023

Please note, we have requested a Signed application form and letter of Crown Consent to the Proposal from the Department of State Growth (for works in Poatina Rd reserve). We are waiting for a final response and will supply these as soon as they are endorsed. The following responses and attached information address Council's RFI requests related to the Proposal. The Proposal adequately responds to planning policy and therefore warrants planning approval.

Table 1 - RFI Responses

Request		Response
Planning		
1.	**Works in road reserve clarification**	As described in the TIA, there are no required road works to any public road surfaces (Macquarie Road, Poatina Road, Connorville Road, Lake River Road). Only Billopp Road may require repairs, subject to detailed design and construction management / traffic management conditions. However, access works are required for some of the private access tracks to Macquarie Road and Lake River Road (refer to access points #1, 2, 5, 6, 7 & 8 of the TIA). Of note, no new access points are required to Poatina Road. Separately, Poatina Substation Access Road is a private road owned by TasNetworks. Therefore, the Proponent has requested and received Council consent for access modification (crossover) works to Macquarie Road, Lake River Road and Billopp Road. The enclosed TIA has been revised to provide further detail on access requirements for construction of the 220 kV transmission line. It is assumed that the operation will utilise the same access points, however with smaller vehicles and significantly less frequency. A Crown Landowner Consent request has also been made in case of works being required within the Poatina Rd reserve at Billopp Road (although this is not expected based on the TIA).

cogency

2.	**Owner's authority (if required), per request 1.**	As above, the Proponent has requested (and received) Council consent in accordance with s52(1B) of the LUPAA, as works are proposed within land owned or administered by Council. Enclosed is a planning application form signed by the General Manager, and their written permission to the making of the application. A Crown Landowner Consent request has also been made to the Department of State Growth, for Poatina Rd reserve. We have submitted for endorsement, a planning application form to be signed by the Crown Landowner delegate and written permission to the making of the application. As soon as this is received we will provide it to Council.
3.	**33kV poles**	The application includes planning consent for the 33kV internal overhead transmission line. See enclosed plan for the concept layout. The plan includes an indicative elevation of a transmission pole. The indicative *maximum* number of poles required is 42. The exact number and location may vary at the time of implementation of the development following issue of a permit and detailed engineering. It is suggested that a condition of permit could require submission of detailed design plans prior to construction.
4.	**220kV pylons**	See enclosed plan for the concept layout of the external 220 kV transmission line. The plan includes an indicative elevation of a transmission pole. The indicative *maximum* number of poles required is 52. The exact number and location may vary at the time of implementation of the development following issue of a permit and detailed engineering, as well as coordination with TasNetworks. As above, a condition of permit could require submission of detailed design plans prior to construction.
Environmental		
5.	**Management of material**	The Proponent respectfully requests a condition of permit requiring submission of a Construction Environmental Management Plan (CEMP) for endorsement, prior to commencement of construction. A CEMP can address protocols and management inclusive of: ▪ Atmospheric Emissions (including dust) ▪ Site contamination and spills ▪ Noise Emission and Vibration impacts ▪ Damage and/or disruption to flora and fauna ▪ Storm water, erosion and sediment management. It is the Proponent's intent that best practice construction management will be undertaken. The exact details of **cut & fill** requirements are not known until detailed design is undertaken, however, cut & fill will be minimised and balanced as much as possible. This will minimise the need for haulage off-site or importation to site. A condition of permit requiring a cut and fill plan prior to commencement is considered an appropriate tool to manage this process, including stockpiling. Regarding **Native vegetation**, clearance has been primarily avoided through design siting. The concept layout has managed to be located within TasVeg 'Agricultural' land, scoring either 'Low' or 'Very Low' for habitat flora & fauna quality. The exact details of vegetation removal or lopping are not known until detailed design is undertaken, however, will be minimised as much as possible. The use of the existing access track connecting Solar West and Solar East avoids the need for new clearance of paths. Considering the low level of vegetation removal required, it is considered appropriate to include a condition of permit requiring a vegetation management plan prior to commencement of construction, allowing detailed design to inform the plan.
6.	**Noise levels**	The submitted Noise Impact Assessment (NIA) is considered to provide sufficient detail regarding the RFI items, with details including: ▪ The expected construction noise levels, modelled in Figures 4 – 9 ▪ The results of the operational noise modelling, that includes the BESS, in Figure 10 ▪ The prohibited hours of construction in Table 3.

		As described in the preamble of Chapter 5, the noise model assumes all inverters in the solar array and BESS are operating at 100% capacity and for the entire duration of the assessment period, as well as being modelled to nighttime standards – the most conservative of standards. All results are considered acceptable and to meet relevant guidelines. A CEMP (as a condition on permit) would be expected to enshrine the hours of construction, and all works would need to be undertaken in accordance with Australian Standard AS2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
7.	**Impact of works**	The use of existing vehicle tracks within Connorville Station significantly reduces the need for new internal vehicle tracks. The submitted Hydrology assessment considers existing drainage culverts within Connorville Station in its existing conditions modelling. The CEMP (as a condition on permit) would include restrictions for the construction of vehicular crossings, including sediment control, and if required, appropriate sizing of culverts to avoid negative flood impacts. All internal tracks are unsealed and will remain unsealed, with limited need for culverts anticipated.
8.	**Management of water quality**	Beyond the construction phase (with sediment control managed by a CEMP (as a condition on permit), the operational phase of the solar farm will have no impacts upon water quality, particularly as it flows off-site. The post-development conditions of solar panels will have no impact upon water runoff or quality. Similarly, the post-development conditions of transmission line infrastructure will have no impact upon water runoff or quality. The hardstand infrastructure and BESS areas are located a significant distance from neighbouring properties, and while they increase impermeable surfaces, they are upstream of dams internal to Connorville Station. Accordingly, there are no expected impacts upon water runoff quality.
9.	**Flood hazard mapping**	Enclosed are flood hazard maps with hazard bands H2 and higher isolated for greater clarity. As shown in the plans, the Development Area has been tailored to avoid areas of elevated flood hazard. Detailed design will further allow micro-siting of solar panel arrays and earthworks to avoid flood risk within solar areas. The hazard category is a guide only and broadly considers risks to human life, rather than infrastructure. The use of H2 and above as being unsuitable is a conservative, baseline approach based on flood depth, flood velocity and the definitions within the risk report. Subject to detailed engineering, there is strong potential that construction/operation of solar arrays within H2 and above areas can occur, with a hazard/risk management plan for vehicles and persons recommended.
Engineering		
10.	**Impacts on Council roads**	The submitted TIA considered potential impacts to public roads and concluded that no works were necessary and that current public road conditions are appropriate. Nonetheless, the inclusion of a condition on permit that requires submission of a Construction Management Plan (CMP) prior to commencement of construction, is appropriate. The CMP could require preparation of a Traffic Management Plan (TMP) and require a pre-dilapidation report, on-going monitoring and a commitment to repair if and as necessary.
11.	**Connorville Road**	While the available LISTmap data specifies that Connorville Road is a public road between Macquarie Road and the Connorville Station land, the Proponent understands that it is treated as a private road for its entire length. As such, the Proponent will continue to maintain Connorville Road at own cost. It is intended to be utilised as a secondary or emergency vehicle access point, which can be again confirmed in the CMP (as a condition on permit).

An additional request was made separate to the RFI letter of 28 June, regarding photomontages. An additional photomontage, as well as submission of previously completed photomontages that were not in the original

development application package, have been provided via email to Neil Shephard. These were prepared by Moir Landscape and are enclosed for completeness.

Also of note, on 15 August 2023, Aboriginal Heritage Tasmania (AHT) endorsed the Proponent's Aboriginal Heritage Assessment Report (AHAR):

> *AHT acknowledge the findings and recommendations of the assessment. For the purposes of the Aboriginal Heritage Act 1975 the report conforms to the assessment standards outlined in the Aboriginal Heritage Standards and Procedures. All works should proceed in accordance with the recommendations made within the report.*

We trust the information provided above is sufficient. If Council considers that this response has not answered all of Council's requests, please advise accordingly as soon as possible.

Should you have any further questions, please do not hesitate to contact me by email or at 0400 797 106.

Kind Regards,

Rebecca Wardle

Rebecca Wardle
Director and Co-Founder
Cogency Australia
+61400 797 106
rebecca@cogencyaustralia.com.au

CC: Neil Shephard, via email

The General Manager

PO Box 156

LONGFORD TAS 7301

Date: 18/10/23

wish to make a representation to planning application number:

23 0091 on the following grounds:

- What compensation will be paid
- Planned line + transmission pole across
- cropping lands
- Where are the pylons placed
- Will have a dramatic negative affect on property value + income

Yours sincerely

NORTHERN MIDLANDS COUNCIL					
File No.					
Property					
Attachments					
REC'D 19 OCT 2023					
	L	A		L	A
GM			PLN		
P&OM			BLD		
CSM			MYR		
WM			EA		
HR					
HLT					

The General Manager

PO Box 156

LONGFORD TAS 7301

Date: 17/10/2023

..... wish to make a representation to planning application number:

PLN 23/0091 on the following grounds:

- PLANNED LINE & TRANSMISSION POLE INTERFERE WITH
- 240 HECTARES OF PIVOT IRRIGATION.
- TRANSMISSION LINE WILL SUBSTANTIALLY REDUCE FARMS ASSET VALUE
- HAVE A DRAMATIC NEGATIVE AFFECT ON PROPERTY INCOME

Yours sincerely

NORTHERN MIDLANDS COUNTIL OBJECTION: PLN-23-0091
NORTHERN MIDLANDS SOLAR FARM

To begin, we would like to say that this is not an objection to the proposed solar farm but an objection to the large transmission towers which are proposed to go through our property which will carry the power to the existing Poatina sub-station.

As the sub-station is located on our our property, already covered by transmission lines, is again on the proposed route of these additional towers which will cross our farm land.

We believe the solar farm would be a valuable project for the district and to Tasmania. Short as well as long term employment opportunities and a major player in the renewable energy sector are big positives for the project.

We are of the opinion that technology used overseas would enable cabling to be placed underground. Our reasons for this request:

1. Less visual impact from our heritage listed homestead – Towers & wires are ugly. We would hope that one day, the existing infrastructure will be buried. Clearly this was not an option in the 1950s when the power station was commissioned.
2. There would be no duplication of above ground easement.
3. While initially more expensive to set up, there would be less maintenance of infrastructure as opposed to what happens now – Continual convoys of Tas Network vehicles and helicopters regularly check towers and lines.
4. The jury is out as to whether electromagnetic fields may be hazardous to those living and working nearby high-voltage power lines.
5. Many European countries already bury their electrical infrastructure if it is possible and have been doing so for many years.
6. We think that if it is possible to run a power cable across Bass Strait then 1.2 kms underground across our land should be simple enough.

and hosts a maze of transmission towers and power poles going in all directions from the sub-station. This over the years has had a big impact on our ability as farmers to add cost effective irrigation

infrastructure as every irrigation pivot has had concessions made for existing towers/poles.

While the Marinus Link will not impact us at this time as the towers are leaving the sub-station in a Northerly direction, it may well be only a matter of time before a new line to the South will be proposed.

As we sit in our home looking through the window towards the Great Western Tiers, we see three large transmission towers and the associated wires and a large power pole hosting a transformer. The solar farm is proposing to add another level of towers which are approximately 20 metres taller than these existing towers.

The new line of towers is in very close proximity to two existing homes on and will have a major impact on the aesthetic outlook that comes from hosting these towers. We have been planning to build another home on the property but it is already difficult to find a suitable place as much of the issue is due to the existing powerlines traversing the property.

The existing towers hum in damp/humid weather conditions – apparently there is no reason for concern. There is an increased risk of fire hosting these towers.

Although aesthetically better for us, we have had to pay for power infrastructure to be put under ground as Tas Networks will not allow us to go above ground where there are existing cables.

The is a heritage listed home built by the in the 1830s. We believe the Northern Midlands Council has a duty to preserve our view. We have many interstate and overseas friends/visitors often commenting on the incredible view but are disappointed by the unsightly existing towers and cabling. We would prefer less infrastructure not more.

At this stage, no discussion has been had as far as any compensation regarding the proposed cabling going through our property. We are of the opinion that if we do not lodge an objection, then we may have no redress if it is deemed a project of State significance. Our rights as landowners may be further eroded as is the case with our dealings with the State-owned Tasmanian Irrigation business which seeks to go through the property as well with public acquisition on its side.

19 October 2023

October 19, 2023

The General Manager

PO Box 156

LONGFORD TAS 7301

Dear Sir/Madam

Ref No: ***PLN-23-0091***

Our properties are '

We have a number of concerns regarding the proposed Solar Farm at Connorville, which It is worrying that such a large project was submitted with several obvious errors and missing details.

Access #1 Proposed Main Access photo (2.2 Site Photos, page 15) on the application is on This is incorrect. The Connorville easement line is actually over the fence on Morrison's land. The application notice has also been put on our gate (see attached photograph).

The easement line only goes from Morrison/Hingston farm boundary line. It does not include an approximately 35 metre gap of land owned by us that comes off the road (way leave). As our title we believe Connorville would require an easement (by negotiation with us as owners) to be created for the Access #1 Main Access Road to be built and connect up with Macquarie Road on the easement line.

We would be open to the idea of our land (along the Morrison boundary fence) being used for an entrance (by negotiation), saving a flora and fauna report and the destruction of approximately 700 metres of trees within the Connorville easement.

We have concerns about our house, at in which my parents reside.

This house has **NOT** been listed on the dwelling map. Has this house been factored in to any reports?

Being approximately 617 metres from the proposed Main Access this will considerably disturb their peace if vehicles are coming and going all hours of the day and night. The house will have a view of the proposed Main Access Road. What level of noise pollution from the Solar Farm East site or Access Road will our be subjected to?

There is only one house listed on the dwelling map for
This is incorrect. We have two houses on this property, with both visible from Macquarie Road.

We believe that will in fact be impacted by the constant buzzing noise from Solar Farm West.

We have concerns that there was nothing in the application about what would be the environmental impact should the battery bank or solar panels catch alight, explode or are damaged, and distribute any toxins into our water catchment. The big picture being we may have a farm that is non-viable due to us having dams located below the solar farm that we irrigate out of, and should we get a heavy rain event after a fire it would end up in our dams.

We note that there have been 2 fires in Australia started by batteries from solar farms since July 30, 2021 to this year that we know of. One in Victoria and one in Queensland.

I've supplied a copy of the Victorian big battery fire technical findings and I ask you to look at page 9 Environmental Concerns, 2nd paragraph. Even though they tested the water from the catchment and found there was only minimal material impact on the water quality, they still removed 900,000 litres of water and had it disposed of. Why, do you think? Where would it be disposed of if it happened here? Who would be responsible for the costs involved? What level of Public Liability cover do the applicants have?

As the type of batteries haven't been decided upon yet (lithium or otherwise) how can the fire management plan be accepted?

As a volunteer firefighter in two brigades in our area, what extra training are we going to need and what extra gear is required to fight fires in and around the solar panels and batteries? Or, is there going to be a trained and resourced crew on hand at all times? I, like others in the brigades, am only a volunteer and extra training/callouts takes us away from our businesses and families.

We are concerned about the heat island affect caused by the solar panels. Rebecca Wardle (cogency Australia author of this planning application) has stated in an email to us "there is a increase in temperatures", but not how much or how far out does it extend. Does this dry

the surrounding area out creating a higher fire danger? What affect does this have on the surrounding covenants? The limited research done on it suggests a 1.5 degree temperature increase, but there is not a lot of research out there. This 1.5 degree temperature is only in a year – the current climate change prediction is for an increase of 2.5 degrees by 2050.

Both Solar Farm East and West will be built within our water catchment for our dams. Where is the extra water needed for fire protection coming from? The amount needed for the water tanks will be significantly higher than what has historically been used or needed on that section of Connorville previously. Will it be coming out of that water catchment? The solar panels will be built within our water catchment for our dams. Extra storage upstream could severely alter our water catchment and greatly affect the capacity for us to fill our dams. The known "heat island effect" associated with solar panels will also have the capacity to alter and dry out our water catchments. The 1.5 degree increase in temperature will dry out the ground underneath and surrounding landscape, soaking up more moisture (water) than it normally would. If our water catchments were compromised it would severely affect our ability to grow crops like we have been for decades on our properties.

We also have concerns that it will devalue our properties going forward. After speaking to a Tasmanian rural real estate agent, who has spoken to a number of Victorian valuers, there is a 10-20% decrease in valuation, especially, if it's in a dam catchment. Both our properties are in dam catchments below the solar farm. To put this into perspective that would mean a $5-10 million drop on current valuation for us. Why should we, as neighbours, be expected to write millions of dollars off the value of our land?

We are worried that the proposed fencing options will create game corridors, as 500 ha of traditional deer homeland and wallaby grazing ground will be shut up and the game will be pushed towards our cropping and grazing land.

Why is there no photo montage from Macquarie Road in the application? Is this because the solar panels are going to be seen? Every other road has one. Macquarie Road is the closest road to the solar farms.

The application states the solar farms will not be in public view. This statement is incorrect. The solar farms will be seen from several sections of Macquarie Road. Solar Farm West ground can also be seen quite easily from most of our property . Due to site elevations/topography, planting of any trees for screening will unfortunately have minimal effect. The visual appearance of the solar panels will not be consistent with the local area.

We have had a view of the Solar Farm West site since we bought in 2003. The pine trees recently harvested on the site, and before the pine plantation was established, we had views of the green grass previously grazed by livestock. So to say the Solar Farms are away from public view is completely false.

Solar Farm West will be in view from our from several areas, including our "campground" beside one of our dams. This is where we go to relax and unwind when, as farmers, we don't have the ability to leave the farm for lengths of time, especially during the summer months of harvest and irrigation seasons. We spend and host birthdays, Cracker Night, Christmas and Boxing Day, and every New Year's Eve with family and friends

for approximately a decade here. Now our view across the dam will be framed by thousands of solar panels.
2023 and December 18, 2022. These photos clearly show the pine plantation, which will be filled with solar panels.

We have held Cracker Night at our dam for several years. It's now an annual event on ours and our friends' calendars. We let the fireworks off beside the dam to keep it extra safe for everyone. The Northern Midlands Council will have records of our fireworks permits on file. Connorville owners are also aware of our Cracker Night fireworks. Most of the up to 50 people attending are friends that live in towns and cities and so would otherwise not be able to experience such an iconic Australian tradition. Am I correct in assuming that we will not be granted a permit for this location again, due to the close proximity of the solar farm and it's infrastructure?

Will there be any noise pollution (constant buzzing/humming) at our dam, which is situated only 800-1000 metres from Solar Farm West? The answer is yes. How relaxing will that be, sitting back gazing over the water at hundreds of solar panels, listening to batteries/transformers buzzing constantly in your ears all day, every day, year after year, for decades to come. Sound tranquil?

Will there be centre white line road markings put on Macquarie Road? I note that the report says that the road is under utilised but since the start of the upgrades to the Midland Highway we are seeing more heavy vehicle and light car traffic. There is a great degradation of the road edges, as well as minor car accidents – ie cars getting caught on the lip on the side of the road, or drivers panicking when meeting a truck on the narrow sections and going through our fences. Is the Northern Midlands Council going to commit to spending more money on regularly maintaining these edges and widening the road so that larger vehicles and trucks aren't constantly having to drive on the gravel verges when meeting oncoming traffic? This has been an ongoing issue over the summer months with grain, pea, poppy and potato trucks and harvesters as well as the high numbers of tourist buses and cars. Extra trucks and light vehicles on this road is not sustainable, and definitely not safe, without the road being upgraded to full width.

There is a number of unmarked bus stops for school children on Macquarie Road. What impact will increased traffic have, especially on foggy mornings?

We, as a business and family, are not opposed to solar farms in the right environment, but more the impact if something should go wrong or should something happen to the organisation that owns the solar farm. Who is responsible for the clean up and the surrounding businesses/community that are affected?

The proposal is not consistent with the local area objective as the long-term sustainability of primary industry resources on neighbouring properties will be compromised, due to lowering our water catchment levels, possible toxic spills (fire) and also the possibility of temperature increases.

The visual appearance of the solar panels is not consistent with, nor does it compliment, the local area.

All the issues we have with this planning application could be fixed simply by moving both solar farms further inside the 17,000ha+ property instead of situating everything on neighbours' boundary fences and water catchments. Noise pollution, toxic spills into our water catchments from both Solar Farm East and West, and visual impact to the surrounding landscapes would all be resolved.

January 25, 2022

Victorian Big Battery Fire: July 30, 2021

REPORT OF TECHNICAL FINDINGS

ANDY BLUM, PE, CFEI
SENIOR FIRE PROTECTION ENGINEER

TOM BENSEN, PRINCIPAL FOUNDER
PAUL ROGERS, PRINCIPAL FOUNDER
CASEY GRANT, PE, SENIOR CONSULTANT
GEORGE HOUGH, SENIOR CONSULTANT

Fisher Engineering, Inc. **Energy Safety Response Group**

Fisher Engineering, Inc.
10475 MEDLOCK BRIDGE ROAD
SUITE 520
JOHNS CREEK GA 30097

Energy Safety Response Group
8350 US HIGHWAY N 23
DELAWARE OHIO 43015

Background

The Victorian Big Battery (VBB) is a 300-Megawatt (MW)/450-Megawatt hour (MWh) grid-scale battery storage project in Geelong, Australia. VBB is one of the largest battery installations in the world and can power over one million Victorian homes for 30 minutes during critical peak load situations.[1] It is designed to support the renewable energy industry by charging during times of excess renewable generation. The VBB is fitted with 212 Tesla Megapacks to provide the 300-MW/450-MWh of energy storage. The Megapack is a lithium-ion battery energy storage system (BESS) consisting of battery modules, power electronics, a thermal management system, and control systems all pre-manufactured within a single cabinet that is approximately 7.2 meters (m) in length, 1.6 m deep and 2.5 m in height (23.5 feet [ft] x 5.4 ft x 8.3 ft).

On Friday, July 30th, 2021, a single Megapack at VBB caught fire and spread to a neighboring Megapack during the initial installation and commissioning of the Megapacks. The fire did not spread beyond these two Megapacks and they burned themselves out over the course of approximately six hours. There were no injuries to the general public, to site personnel or to emergency first responders as the Megapacks failed safely (i.e., slowly burned themselves out with no explosions or deflagrations), as they are designed to do in the event of a fire. Per the guidance in Tesla's Lithium-Ion Battery Emergency Response Guide[2] (ERG), emergency responders permitted the Megapack to burn and consume itself while nearby exposures were being monitored at a safe distance. The total impact to the site was two out of the 212 Megapacks were fire damaged, or less than 1% of the BESS.

Following the emergency response, a detailed, multi-entity fire investigation commenced on August 3, 2021. The investigation process included local regulatory entities, Tesla, outside third-party engineers and subject matter experts. The investigation process involved analyzing both the fire origin and cause as well as the root cause of the fire propagation to the neighbor Megapack. In addition, given this is the first fire event in a Megapack installation to date, a review of the emergency response has been performed to identify any lessons learned from this fire event.

This report summarizes those investigations and analyses and has been prepared by Fisher Engineering, Inc. (FEI) and Energy Safety Response Group (ESRG), two independent engineering and energy storage fire safety consulting firms. In addition, this report provides a list of lessons learned from the fire and also highlights the procedural, software and hardware changes that have been implemented based on those lessons learned.

Incident Timeline

At the time of the fire, the VBB was fitted with approximately one-half of the 212 total Megapacks intended for the site. The Megapacks that were installed at VBB were undergoing routine testing and commissioning on the day of the fire. At 7:20 AM Australian Eastern Standard Time (AEST) on the morning of July 30, 2021, commissioning and testing of a number of Megapacks commenced. One such Megapack (denoted herein as MP-1), was not going to be tested that day and was therefore shut off manually by means of the keylock

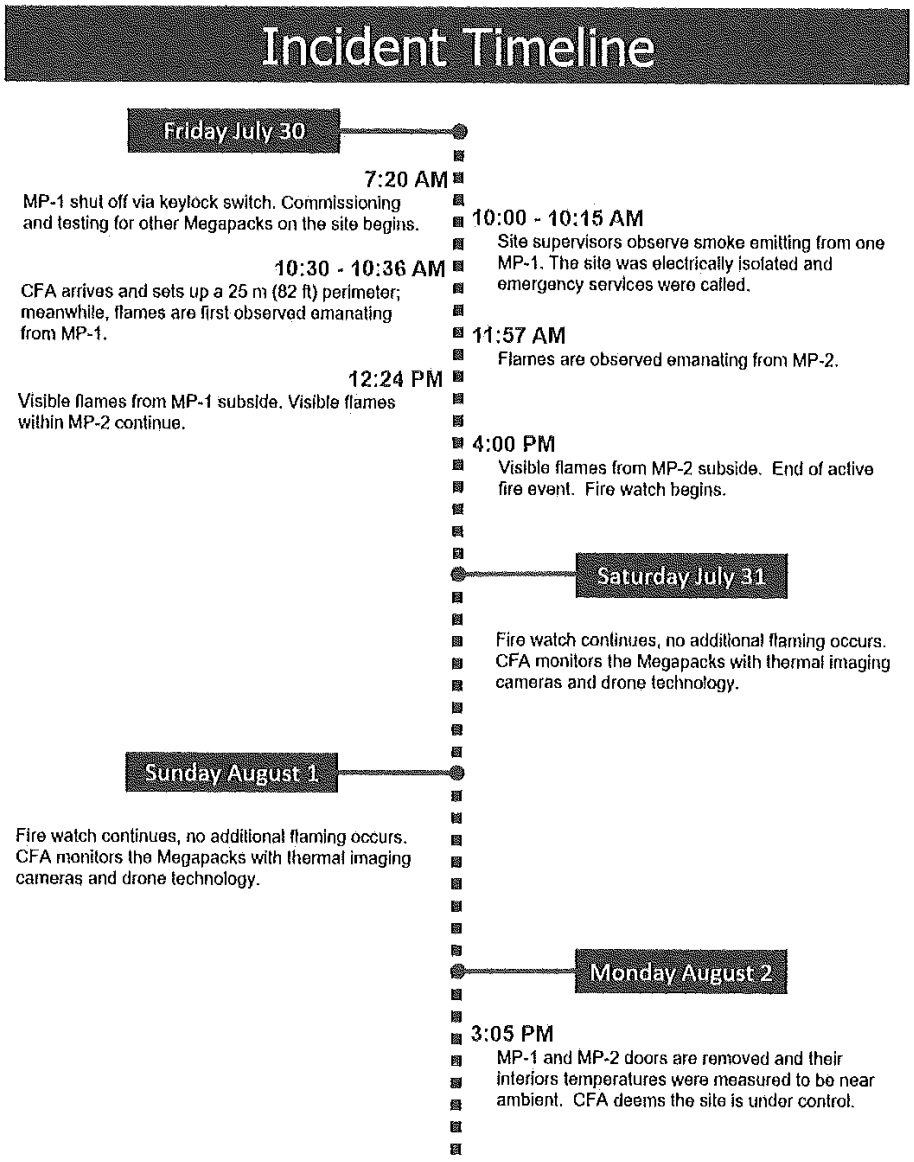
[1] https://victorianbigbattery.com.au/

[2] https://www.tesla.com/sites/default/files/downloads/Lithium-Ion_Battery_Emergency_Response_Guide_en.pdf

switch.[3] At the time MP-1 was shut down via the keylock switch, the unit displayed no abnormal conditions to site personnel. Around 10:00 AM, smoke was observed emitting from MP-1 by site personnel. Site personnel

electrically isolated all the Megapacks on-site and called emergency services: Country Fire Authority (CFA). The CFA arrived shortly thereafter and set up a 25 m (82 ft) perimeter around MP-1. They also began applying cooling water to nearby exposures as recommended in Tesla's ERG. The fire eventually spread into a neighbor Megapack (MP-2) installed 15 centimeters (cm), or 6 inches (in), behind MP-1. The CFA permitted MP-1 and MP-2 to burn themselves out and did not directly apply water into or onto either Megapack, as recommended in Tesla's ERG. By 4:00 PM (approximately six hours after the start of the event), visible fire had subdued and a fire watch was instituted. The CFA monitored the site for the next three days before deeming it under control on August 2, 2021, at which time, the CFA handed the site over for the fire investigation to begin.

[3] The keylock switch is a type of "lock out tag out" switch on the front of the Megapack that safely powers down the unit for servicing.



Note: The time stamp is AEST (UTC+10) which is 19 hours ahead of USA PDT (UTC-7)

Investigation

A multi-entity fire investigation commenced on August 3, 2021. The VBB fire investigation process involved analyzing both the root cause of the initial fire in MP-1 as well as the root cause of the fire propagation into MP-2. The investigations included on-site inspections of MP-1 and MP-2 by the CFA, Energy Safe Victoria[4] (ESV), Work Safety Victoria[5] (WSV), local Tesla engineering/service teams and a local third-party independent

[4] Victoria's energy safety regulator

[5] Victoria's health and safety regulator

engineering firm. In addition to the on-site work immediately after the incident, the root cause investigations also included data analysis, thermal modeling and physical testing (electrical and fire) performed by Tesla at their headquarters in California, USA and their fire test facility in Nevada, USA.

Fire Cause Investigation

On-site inspections commenced on August 3, 2021 and concluded on August 12, 2021. MP-1 and MP-2 were documented, inspected and preserved for future examinations, if necessary. Concurrently, all available telemetry data (such as internal temperatures and fault alarms) from MP-1 and MP-2 were analyzed and a series of electrical fault and fire tests were performed. The on-site investigation findings, the telemetry data analysis, electrical fault tests and fire tests, when combined, identified a very specific series of fault conditions present on July 30, 2021 that could lead to a fire event.

Fire Origin and Cause Determination

The origin of the fire was MP-1 and the most likely root cause of the fire was a leak within the liquid cooling system of MP-1 causing arcing in the power electronics of the Megapack's battery modules. This resulted in heating of the battery module's lithium-ion cells that led to a propagating thermal runaway event and the fire.

Other possible fire causes were considered during the fire cause investigation; however, the above sequence of events was the only fire cause scenario that fits all the evidence collected and analyzed to date.

Contributory Factors

A number of factors contributed to this incident. Had these contributory factors not been present, the initial fault condition would likely have been identified and interrupted (either manually or automatically) before it escalated into a fire event. These contributory factors include:

1. The supervisory control and data acquisition (SCADA) system for a Megapack required 24 hours to setup a connection for new equipment (i.e., a new Megapack) to provide full telemetry data functionality and remote monitoring by Tesla operators. Since VBB was still in the installation and commissioning phase of the project (i.e., not in operation), MP-1 had only been in service for 13 hours prior to being switched off via the keylock switch on the morning of the fire. As such, MP-1 had not been on-line for the required 24 hours, which prevented this unit from transmitting telemetry data (internal temperatures, fault alarms, etc.) to Tesla's off-site control facility on the morning of the fire.
2. The keylock switch for MP-1 was operated correctly on the morning of the fire to turn MP-1 off as the unit was not required for commissioning and testing that morning; however, this action caused telemetry systems, fault monitoring, and electrical fault safety devices[6] to be disabled or operate with only limited functionality. This prevented some of the safety features of MP-1 from actively monitoring and interrupting the electrical fault conditions before escalating into a fire event.
3. The exposure of liquid coolant onto the battery modules likely disabled the power supply to the circuit that actuates the pyro disconnect.[7] With a power supply failure, the pyro disconnect would not

[6] These elements include, among other devices, fuses at the cell and module level for localized fault current interruption and a battery module pyro disconnect that severs the electrical connection of the battery module when a fault current is passing through the battery module.

[7] The pyro disconnect is a Tesla proprietary shunt-controlled pyrotechnic fuse that allows for rapid one-time actuation. There is one pyro disconnect per battery module.

receive a signal to sever and would not be able to interrupt a fault current passing through the battery module prior to it escalating into a fire event.

Fire Propagation Investigation

The VBB fire investigation process involved analyzing not only the root cause of the initial fire in MP-1 but also the root cause of the fire propagation into MP-2. The Megapack has been designed to be installed in close proximity to each other without fire propagating to adjacent units. The design objective of the Megapack in terms of limiting fire propagation was mainly reliant on the thermal insulation of the Megapack's exterior vertical steel panels and the sheer mass of the battery modules acting as a heat sink (i.e., they are difficult to heat up). With this thermal insulation, the Megapack spacing can be as close as 15 cm (6 in) to the sides and back of each unit with 2.4 m (8 ft) aisles in front of each Megapack, as shown in Figure 1. This product spacing has been validated in UL9540A unit level tests.[8] Similar to the fire origin and cause investigation, the on-site inspections were supported simultaneously with an analysis of telemetry data (such as internal temperatures) from MP-2 and fire testing. The on-site investigation findings, the telemetry data analysis and fire tests, when combined, identified a scenario where Megapack to Megapack fire propagation can occur.

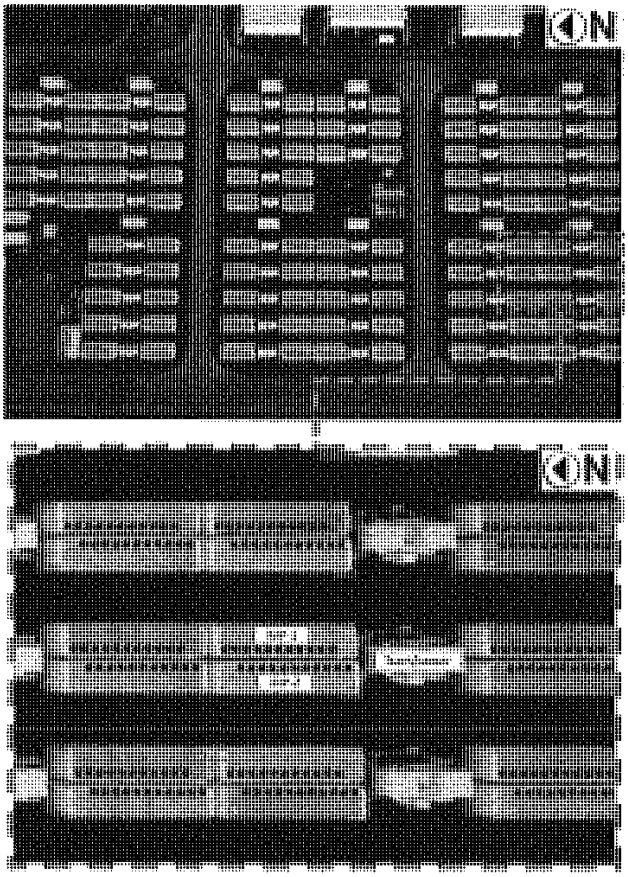


Figure 1 VBB Megapack layout (top) and area of fire origin (bottom)

Fire Propagation Determination

Flames exiting the roof of MP-1 were significantly impacted by the wind conditions at the time of the fire. Wind speeds were recorded between 20-30 knots[9] which pushed the flames exiting the roof of MP-1 towards the roof of MP-2. This direct flame impingement on the top of the thermal roof of MP-2 ignited the internal

[8] UL9540A, *Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems*. UL9540A is a test method developed by UL to address fire safety concerns with BESS. The test method provides a method to evaluate thermal runaway and fire propagation at the cell level, module level, and unit level. In addition to cell and module level tests, Tesla performed unit level tests to evaluate, among other fire safety characteristics, the potential for fire propagation from Megapack-to-Megapack. During unit level testing, fire propagation did not occur between Megapacks when they were installed with a spacing of 15 cm (6 in) to the sides and back of each unit.

[9] This equates to 37-56 kilometers per hour (km/hr) *or* 23-35 miles per hour (mph).

components of MP-2, most notably, the plastic overpressure vents that seal the battery bay[10] from the thermal roof. Once ignited, the overpressure vents provided a direct path for flames and hot gases to enter into the battery bays, thus exposing the battery modules of MP-2 to fire and/or elevated temperatures. Exposed to temperatures above their thermal runaway threshold of 139°C (282°F), the cells within the battery modules eventually failed and became involved in the fire.

Other possible fire propagation root causes were considered during the investigation; however, the above sequence of events was the only fire propagation scenario that fits all the evidence collected and analyzed to date. Of note, at the time when fire was observed within the thermal roof of MP-2, internal cell temperature readings of MP-2 had only increased by 1°C (1.8°F) from 40°C to 41°C (104°F to 105.8°F)[11] Around the same time that fire was observed within the thermal roof of MP-2, around 11:57 AM (approximately 2 hours into the fire event), communication was lost to the unit and no additional telemetry data was transmitted. However, given the internal cell temperatures of MP-2 had only recorded a 1°C (1.8°F) temperature rise 2 hours into the fire event and while the unit's roof was actively on fire, fire propagation across the 15 cm (6 in) gap via heat transfer is not the root cause of the fire propagation. Furthermore, this telemetry data from MP-2 demonstrates that the Megapack's thermal insulation can provide significant thermal protection in the event of a fire within an adjacent Megapack installed only 15 cm (6 in) away.

Contributory Factors

The wind was the dominant contributory factor in the propagation of fire from MP-1 to MP-2. At the time of the fire, a 20-30 knot (37-56 km/hr, 23-35 mph) wind was recorded out of the north. The wind conditions at the time of the fire pushed the flames exiting out of the top of MP-1 towards the top of MP-2 leading to direct flame impingement on the thermal roof of MP-2. This type of flame behavior was not observed during previous product testing or regulatory testing per UL9540A. In UL9540A unit level testing, the maximum wind speed permitted[12] during the test is 10.4 knots (19.3 km/hr, 12.0 mph); whereas, wind conditions during the VBB fire were two to three times greater in magnitude. As such, the wind conditions during the VBB fire appear to have identified a weakness in the Megapack's thermal roof design (unprotected, plastic overpressure vents in the ceiling of the battery bays) that allows Megapack-to-Megapack fire propagation. This weakness was not identified previously during product or regulatory testing and does not invalidate the Megapack's UL9540A certification, as the cause of fire propagation was primarily due to an environmental condition (wind) that is not captured in the UL9540A test method.

Mitigations

The investigation of the VBB fire identified several gaps in Tesla's commissioning procedures, electrical fault protection devices and thermal roof design. Since the fire, Tesla has implemented a number of procedural,

[10] The battery bay is an IP66 enclosure that houses the battery modules. It is distinct from the thermal roof installed above it. Plastic overpressure vents are installed in the ceiling of the battery bay, sealing the two enclosures from one another.

[11] As a reference, the Megapack's normal operating cell temperature is between 20-50°C and cell thermal runaway does not occur until 139°C (98°C above cell temperatures of MP-2 before telemetry data was lost).

[12] This threshold is necessary for test reliability and reproducibility. If wind conditions are not bounded in some fashion in an outdoor fire test, large variances on product performance could be introduced due to varying wind conditions.

firmware, and hardware mitigations to address these gaps. These mitigations have been applied to all existing and any future Megapack installations and include:

Procedural Mitigations:

- Improved inspection of the coolant system for leaks during Megapack assembly and during end-of-line testing to reduce the likelihood of future coolant leaks.
- Reduce the telemetry setup connection time for new Megapacks from 24 hours to 1 hour to ensure new equipment is transmitting telemetry data (internal temperatures, fault alarms, etc.) to Tesla's offsite control facility for remote monitoring.
- Avoid utilizing the Megapack's keylock switch during commissioning or operation unless the unit is actively being serviced. This procedural mitigation ensures telemetry, fault monitoring, and electrical fault safety devices (such as the pyro disconnect) are active while the Megapack is idle (such as during testing and commissioning).

Firmware Mitigations:

- Added additional alarms to the coolant system's telemetry data to identify and respond (either manually or automatically) to a possible coolant leak.
- Keep all electrical safety protection devices active, regardless of keylock switch position or system state. This firmware mitigation allows electrical safety protection devices (such as the pyro disconnect) to remain in an active mode, capable of actuating when electrical faults occur at the battery modules, no matter what the system status is.
- Active monitoring and control of the pyro disconnect's power supply circuit. In the event of a power supply failure (either through an external event such as a coolant exposure or some other means), the Megapack will automatically actuate the pyro disconnect prior to the loss of its power supply.

Hardware Mitigations

- Installation of newly designed, thermally insulated steel vent shields within the thermal roof of all Megapacks. These vent shields protect the plastic overpressure vents from direct flame impingement or hot gas intrusion, thus keeping the IP66 battery bay enclosures isolated from a fire above in the thermal roof. Their performance was validated through a series of fire tests, including unit level fire testing of entire Megapack units.[13] The vent shields are placed over the top of the overpressure vents and will come standard on all new Megapack installations. For existing Megapacks, the vent shields can be installed in the field (retrofit) with minimal effort or disruption to the unit. At the time of this report, the vent shields are nearing production stage and will be retrofitted to applicable Megapack sites shortly.

[13] The tests confirmed that, even with the entire thermal roof fully involved in fire, the overpressure vents will not ignite and the battery modules below remain relatively unaffected by the fire above. For instance, the cells within the battery modules saw a less than 1°C temperature rise while the entire thermal roof was fully involved in fire.

Report of Technical Findings: Page 7 Victorian Big Battery Fire 1/25/2022

Emergency Response

Beyond the origin and cause and propagation investigations, another key aspect of the VBB fire was the emergency response. The CFA is the responsible fire service organization for VBB, and the facility is in their initial response jurisdiction. The location of the VBB facility is in a semi-rural location. The nearest fire station is the CFA Lovely Banks, approximately 4 km (2.5 miles) distance from VBB and thus relatively close, though other resources had more extended travel distances.

Upon arrival around 10:30 AM, CFA immediately established incident command (IC) in accordance with their protocols, and the IC worked closely with the facility representatives and subject matter experts (SMEs). This close coordination continued throughout the entire event. The facility was evacuated and all-site personnel accounted-for upon notification of the emergency event and the commencement of fire service operations. A 25 m (82 ft) perimeter was established around MP-1 while water application and cooling strategies were discussed with facility representatives and subject matter experts (SMEs). The decision was made to provide exposure protection to Megapacks and transformers adjacent to MP-1 and MP-2 using water hose lines, as recommended in Tesla's ERG. The fire eventually propagated into MP-2; however, flame spread did not advance any further than MP-1 and MP-2. The two Megapacks were permitted to burn themselves out, during which time the CFA did not directly apply water into or onto either Megapack. By 4:00 PM (approximately six hours after the start of the event), visible flames had subdued and a fire watch was instituted. The CFA continued to monitor the site for the next three days before deeming it under control on August 2, 2021, at which time, the fire investigation began.

Key Takeaways

A thorough review of the VBB fire emergency response yielded the following key takeaways:

- Effective Pre-incident Planning: VBB had both an Emergency Action Plan (EAP) and an Emergency Response Plan (ERP). Both plans were available to emergency responders and were effectively used during the VBB fire. For example, all site employees and contractors followed proper evacuation protocols during the fire and as a result, no injuries occurred to those personnel.
- Coordination with SMEs: VBB had thorough pre-incident plans that clearly identified the SMEs, how to contact them, their role and other key tasks. It was reported that the facility SMEs stayed in close contact with the CFA IC throughout the VBB fire, providing valuable information and expertise for the CFA to draw upon. For example, site representatives and SMEs worked closely with the CFA in determining water application and cooling strategies of adjacent exposures.
- Water Application: A key question regarding water application is the necessary amount and duration for effective fire containment. Tesla's design philosophy is based on inherent passive protection (i.e., thermal insulation), with minimal dependence on active firefighting measures like external hose lines. As such, water was not aimed at suppressing the fire but rather protecting the exposures as directed by Tesla's ERG and the SMEs on site. All available data and visual observations of the fire indicates water had limited effectiveness in terms of reducing or stopping fire propagation from Megapack-toMegapack. The thermal insulation appears to be the dominant factor in reducing heat transfer between adjacent Megapacks. However, water was effectively used on other exposures

(transformers, electrical equipment, etc.) to protect that equipment, which are not designed with the same level of protection as a Megapack is (i.e., thermal insulation).[14]

- The fire protection design approach of the Megapack has inherent advantages over other BESS designs in terms of safety to emergency responders. The Megapack approach minimizes the likelihood of fire spread using passive compartmentation and separation, eliminates the danger to fire fighters of an overpressure event due to design features and a lack of confinement (e.g., outdoor versus indoor), does not rely on active firefighting measures like external hose lines and minimizes the dangers from stranded electrical energy to those involved with overhaul and de-commissioning with a fire response approach permitting the Megapack to burn itself out.

Environmental Concerns

The Environment Protection Authority Victoria (EPA) deployed two mobile air quality monitors within 2 km (1.2 miles) of the VBB site. Locations were chosen where there was potential to impact the local community. The EPA monitors confirmed "good air quality in the local community" after the incident; however, the measurements were not taken during the peak of the fire event. They were sampled around 6:00 PM, or approximately 2 hours after the fire was out. Therefore, the data cannot be used to understand the airborne hazards during the actual fire event. The data does demonstrate that two hours after the fire event, the air quality in the surrounding area was "good" and no long-lasting air quality concerns arose from the fire event.[15]

During the fire event, the CFA coordinated with site personnel to control the water run-off from fire hoses into a catchment. Water samples, collected by Tesla site personnel under the supervision of CFA, were extracted from the catchment. Laboratory results from those samples indicated that the likelihood of the fire having a material impact on the water was minimal. After the incident, as a precaution, the water was removed from the catchment, via suction trucks, and was transported to a licensed waste facility for treatment and disposal. It is estimated that approximately 900,000 liters of water was disposed of from the site after the event.

Community Concerns

Neoen, the project developer and owner, pro-actively engaged with the local community during and following the VBB fire. These engagements included door-to-door visits, phone calls and emails with the residential and agricultural properties within a 2-3 km (1.2-1.9 mile) radius of the VBB site. Neoen found their prior community outreach during the project planning stages to be invaluable as this outreach provided up-to-date contact information for Neoen when reaching out to the local community during and following the fire. In addition, Neoen formed an executive stakeholder steering committee compromising of key organizations within 24 hours of the incident. With multiple parties involved in the emergency response to the fire event

[14] At the time of this report, final fire department reports were not available for review and inclusion. As that information becomes available, additional information regarding water usage and effectiveness may require inclusion in this report. Although the effectiveness of external water in a Megapack fire may be limited, water should still be made available for exposure protection and other unanticipated events in the future, as required by any applicable regulatory requirements.

[15] It should be noted that prior regulatory testing (UL 9540A module level fire testing) has shown that the products of combustion of a Megapack battery module can include flammable and nonflammable gases. Based on those regulatory tests, the flammable gases were found to be below their lower flammable limit (LFL) and would not pose a deflagration or explosion risk to first responders or the general public. The nonflammable gases were found to be comparable to the smoke you would encounter in a typical Class A structure fire and do not contain any unique, or atypical, gases beyond what you would find in the combustion of modern combustible materials.

actively participating in the steering committee, this helped ensure that from the outset communication was timely, efficient, well-coordinated across different organizations and accurate.

In addition to the community outreach, Neoen and Tesla also briefed multiple industry, State and Federal Government Departments and Agencies immediately following the VBB fire and at the conclusion of the investigation process. These briefings helped ensure the wider energy sector with interests in BESS were able to be kept directly informed as information became available.

Overhaul and Remediation

On July 29, 2021 nearly half of the Megapacks had been installed and the site was in the testing and commissioning stage of the project. Following the fire event on July 30, 2021, fire department personnel, regulatory agencies and other emergency responders remained on-site for precautionary purposes until August 2, 2021. At that time the site was turned over for regulatory fire investigations to begin. On-site fire investigations started on August 3, 2021 and continued until August 12, 2021. During this time, starting on August 6, 2021, the site was permitted to continue the installation of Megapacks while the area around MP-1 remained cordoned off for the investigation. On September 23rd, 2021, less than two months after the fire, VBB was re-energized and testing and commissioning restarted. Remediation of the damaged equipment followed shortly after, and lasted a total of three days. All testing and commissioning efforts were completed without any further incidents and on December 8, 2021, VBB officially opened.

Lessons Learned

The VBB fire exposed a number of unlikely factors that, when combined, contributed to the fire initiation as well as its propagation to a neighboring unit. This collection of factors had never before been encountered during previous Megapack installations, operation and/or regulatory product testing. This section summarizes those factors as well as the emergency response to the fire, discusses the lessons learned from this fire event, and highlights the mitigations Tesla has implemented in response.

1. Commissioning Procedures

Lessons learned related to commissioning procedures include: (1) limited supervision/monitoring of telemetry data during the first 24 hours of commissioning and (2) the use of the keylock switch during commissioning and testing. These two factors prevented MP-1 from transmitting telemetry data (internal temperatures, fault alarms, etc.) to Tesla's control facility and placed critical electrical fault safety devices (such as the pyro disconnect) in a state of limited functionality, reducing the Megapack's ability to actively monitor and interrupt electrical fault conditions prior to them escalating into a fire event.

Since the VBB fire, Tesla has modified their commissioning procedures to reduce the telemetry setup connection time for new Megapacks from 24 hours to 1 hour and to avoid utilizing the Megapack's keylock switch unless the unit is actively being serviced.

2. Electrical Fault Protection Devices

Lessons learned related to electrical fault protection devices include: (1) coolant leak alarms; (2) the pyro disconnect being unable to interrupt fault currents when the Megapack is off via the keylock switch and (3) the pyro disconnect likely being disabled due to a power supply loss to the circuit that actuates it. These three factors prevented the pyro disconnect of MP-1 from actively monitoring and interrupting the electrical fault conditions before escalating into a fire event.

Since the VBB fire, Tesla has implemented a number of firmware mitigations that keep all electrical safety protection devices active, regardless of keylock switch position or system state, and to actively monitor and control the pyro disconnect's power supply circuit. Furthermore, Tesla has added additional alarms to better identify and respond (either manually or automatically) to coolant leaks. Additionally, although this fire event was likely initiated by a coolant leak, unexpected failures of other internal components of the Megapack could create similar damage to the battery modules. These new firmware mitigations do not only address damage from a coolant leak. They also permit the Megapack to better identify, respond, contain and isolate issues within the battery modules due to failures of other internal components, should they occur in the future.

3. Fire Propagation

Lessons learned related to fire propagation include: (1) the significant role external, environmental conditions (such as wind) can have on a Megapack fire and (2) the identification of a weakness in the thermal roof design that permits Megapack-to-Megapack fire propagation. These two factors led to direct flame impingement on the plastic overpressure vents that seal the battery bay from the thermal roof. With a direct path for flames and hot gases to enter into the battery bays, the cells within the battery modules of MP-2 failed and became involved in the fire.

Since the VBB fire, Tesla has devised (and validated through extensive testing) a hardware mitigation that protects the overpressure vents from direct flame impingement or hot gas intrusion via the installation of new, thermally insulated, steel vent shields. The vent shields are placed on top of the overpressure vents and will come standard on all new Megapack installations. For existing Megapacks, the vent shields can be easily installed in the field. At the time of this report, the vent shields are nearing production stage and will be retrofitted to applicable Megapack sites shortly.

4. Megapack Spacing

Lessons learned related to Megapack spacing include: no changes are required to the installation practices of the Megapack with the vent shield mitigation (as described above) in place. Based on an analysis of telemetry data within MP-2 during the VBB fire, the Megapack's thermal insulation can provide significant thermal protection in the event of a fire within an adjacent Megapack installed 15 cm (6 in) away. The internal cell temperatures of MP-2 only increased by 1°C (1.8°F), from 40°C to 41°C (104°F to 105.8°F), before communication was lost to the unit, presumably due to fire, around 11:57 AM (approximately 2 hours into the fire event). Fire propagation was triggered by the weakness in the thermal roof, as described above in #3, and not due to heat transfer via the 15 cm (6 in) gap between Megapacks. With the vent shield mitigation in place, the weakness has been addressed and validated through unit level fire testing (i.e., tests involving the ignition of the Megapack's thermal roof). These tests confirmed that, even with the thermal roof fully involved in a fire, the overpressure vents will not ignite and the battery modules remain relatively unaffected with internal cell temperatures rising less than 1°C.

5. Emergency Response

Lessons learned from the emergency response to the VBB fire include: (1) effective pre-incident planning is invaluable and can reduce the likelihood of injuries; (2) coordination with SMEs, either on site or remotely, can provide critical expertise and system information for emergency responders to draw upon; (3) the effectiveness of applying water directly to adjacent Megapacks appears to provide limited benefits; however, water application to other electrical equipment, with inherently less fire protection built into their designs (such as transformers), can be a useful tactic to protect that equipment; (4) the fire protection design

approach of the Megapack has inherent advantages over other BESS designs in terms of safety to emergency responders; (5) the EPA indicated that there was "good" air quality 2 hours after the fire demonstrating that no long-lasting air quality concerns arose from the fire event; (6) water samples indicated that the likelihood of the fire having a material impact on firefighting water was minimal; (7) prior community engagement during the project planning stages is invaluable as it enabled Neoen to quickly update the local community and address immediate questions and concerns; (8) early, factual and where possible, face-to-face engagement with the local community is essential when a fire event is unfolding to keep the general public informed; (9) an executive stakeholder steering committee from the key organizations involved in the emergency response can help ensure that any pubic communications are timely, efficient, coordinated and accurate; and (10) effective coordination between stakeholders at the site allowed for rapid and thorough handover process after the incident, the swift and safe decommissioning of the damaged units and the site's quick return to service.

In summary, the VBB fire event proceeded in accordance with its fire protection design and pre-incident planning. It presented no unusual, unexpected, or surprising characteristics (i.e., explosions) or resulted in any injuries to site personnel, the general public or emergency responders. It was isolated to the units directly involved, had minimal environmental impact, did not adversely impact the electrical grid, and had appreciably short mission interruption.

Photo taken of our gate at 'Single Hill', 2795 Macquarie Road.

This photo was taken on October 8, 2023, clearly shows the council notice on our gate.

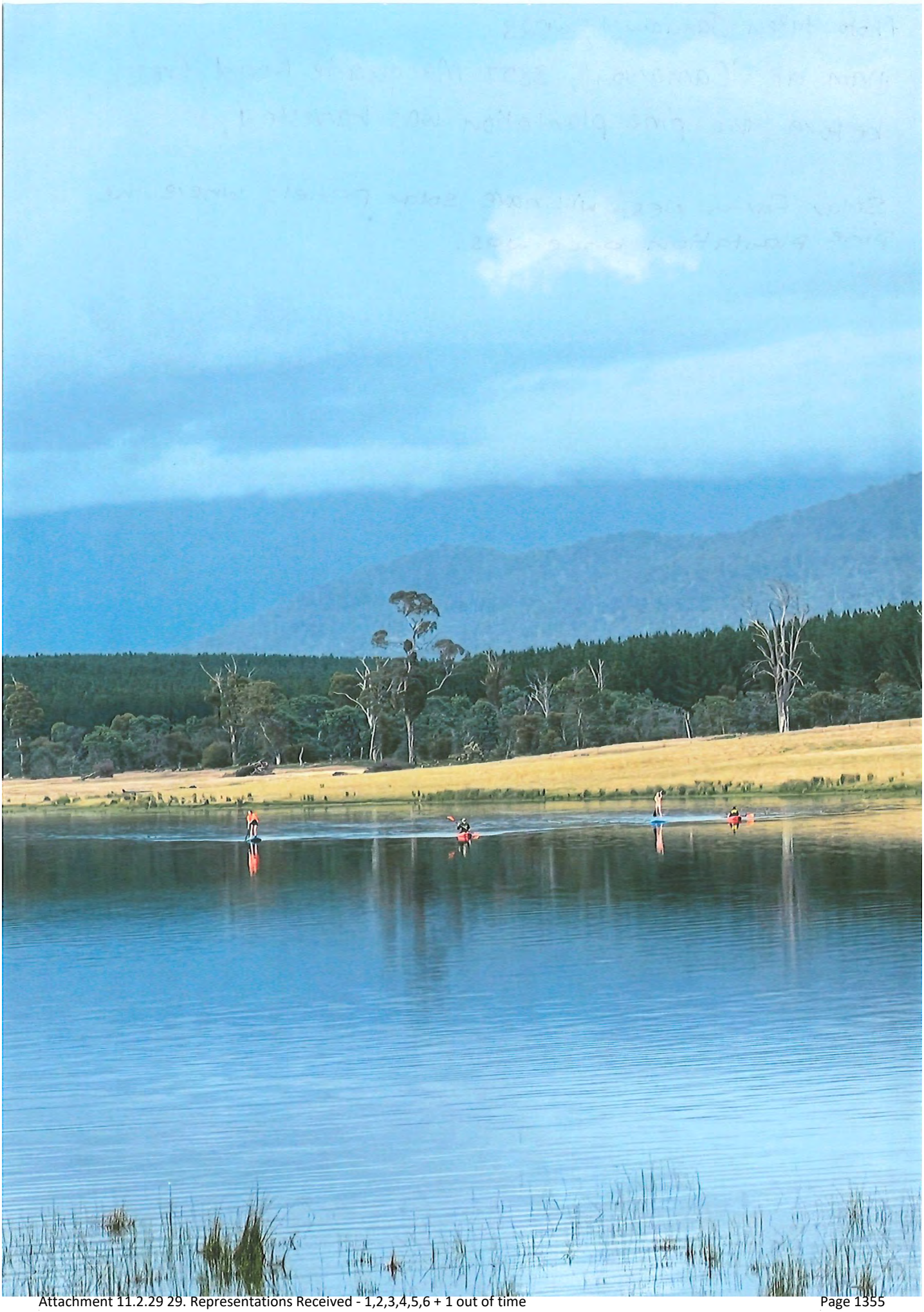


Photo taken January 1, 2023
Dam at 'Carnarvon', 3307 Macquarie Road, Cressy, before the pine plantation was harvested.

Solar Farm West will have solar panels where the pine plantation once was.

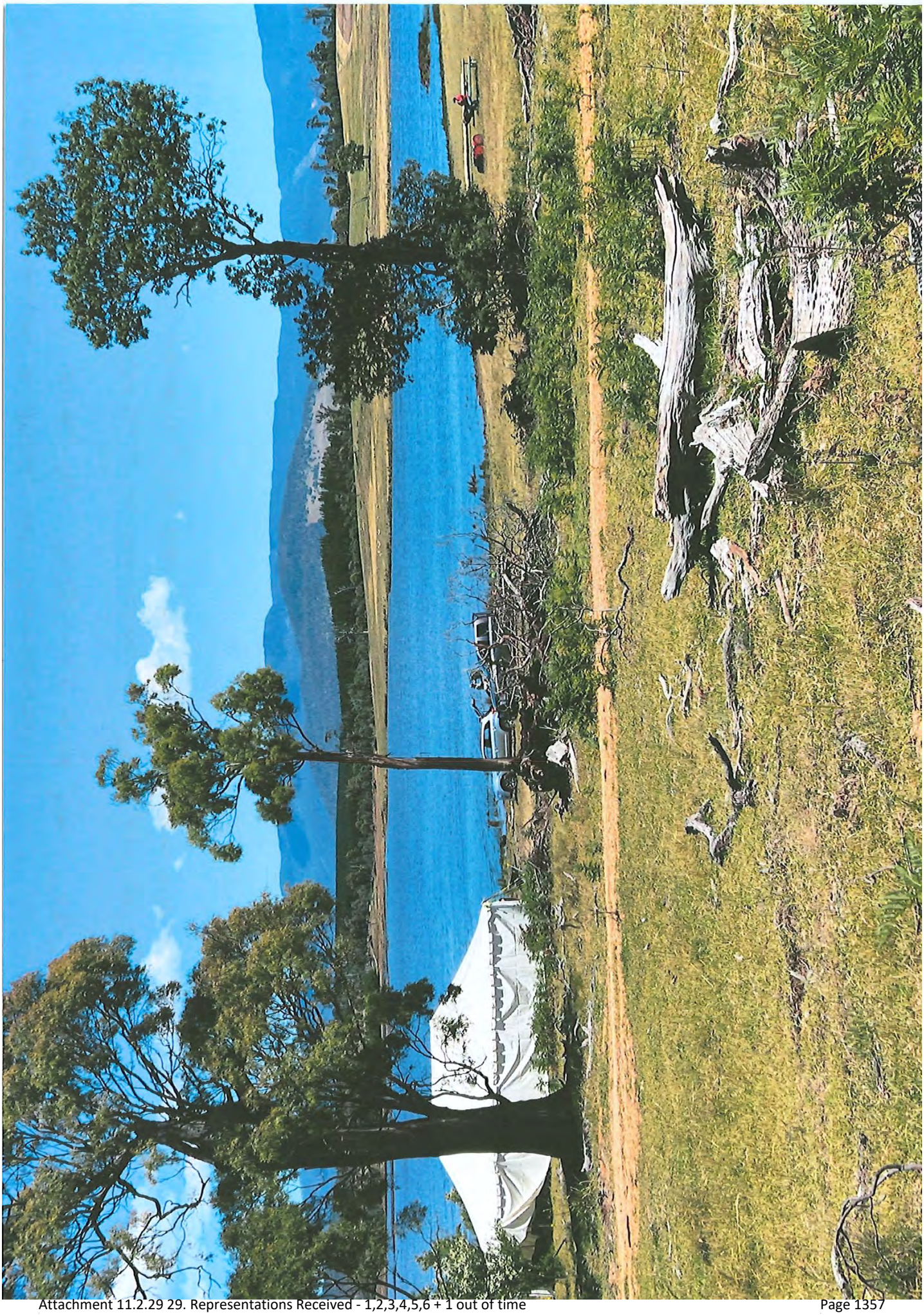
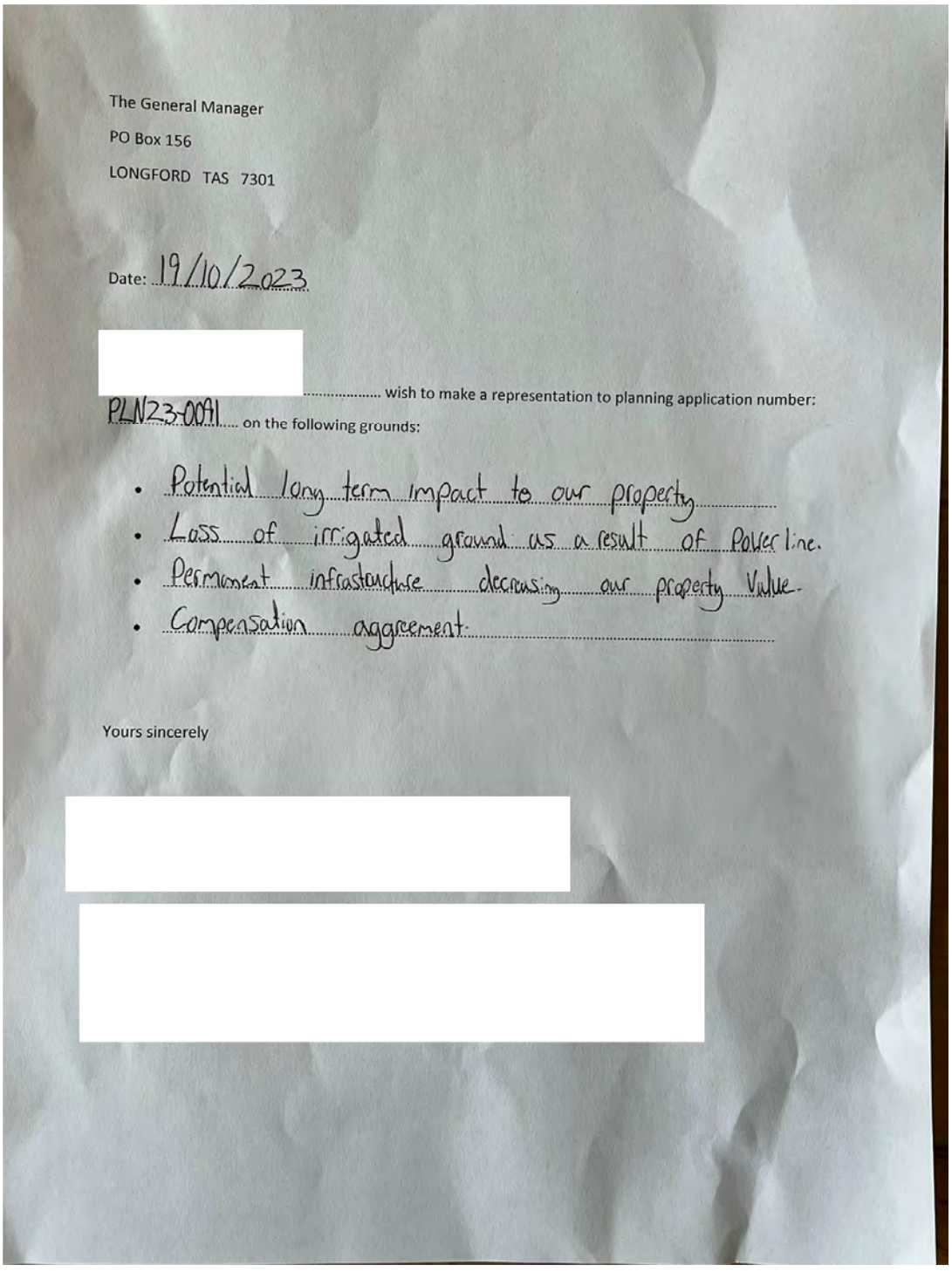


Photo taken December 18, 2022, at 'Carnarvon'.
Erecting our marquee ready for Christmas and New Year's Eve.
Photo shows pine plantation in background. This will be the location of hundreds of Solar panels, as part of Solar Farm West.



The General Manager

PO Box 156

LONGFORD TAS 7301

Date: 19/10/2023

[redacted] wish to make a representation to planning application number: PLN23-0091 on the following grounds:

- Potential long term impact to our property
- Loss of irrigated ground as a result of Power line.
- Permanent infrastructure decreasing our property Value.
- Compensation aggreement.

Yours sincerely

[redacted]

[redacted]

From:
Sent: Friday, 20 October 2023 9:51 AM
To: NMC Planning
Subject: Northern Midlands Solar Farm

Dear Planning Department,
Following my attendance at the Cressy information session yesterday I wish to submit my support for this solar farm project. I think this project has great merit and will help support sustainable power for our State. I sincerely hope that Council will see this project in a positive light and vote in favour of this great opportunity for our area.

Yours faithfully,

From:
Sent: Friday, 20 October 2023 11:59 PM
To: NMC Planning
Subject: NORTHERN MIDLANDS SOLAR ELECTRICITY GENERATING WORKS + BESS OBJECTION SUBMISSION

Dear General Manager of Northern Midlands Council,
I OBJECT UNEQUIVOCALLY TO THE EXTREME ENVIRONMENTAL DESTRUCTION BEING CAUSED, THE RUINATION OF OUR LIMITED, IRREPLACEABLE ARABLE LAND -SUCH AS THIS NORTHERN MIDLANDS AGRICULTURAL LAND - A CRUCIAL PART OF OUR RICH SOIL HERITAGE, THE INORDINATE AMOUNT OF TOXIC CONTAMINATING SOLAR/BESS ELECTRONIC GARBAGE BEING CREATED, THE ABSOLUTE WASTE OF PUBLIC MONEY BEING ILLOGICALLY FRITTERED AWAY FOR A TOTALLY ILLOGICAL & CRUEL FAKE GREEN RENEWABULL SOLAR/WIND ENERGY POVERTY GRIFT & PONZI SCHEME/SCAM - INCLUDING THIS TOXIC CONTAMINATING 288MW NORTHERN MIDLANDS SOLAR ELECTRICITY GENERATING WORKS + FILTHY 350/2hr BESS 394 CONNORVILLE ROAD CRESSY NORTHERN MIDLANDS, TASMANIA would only be contributing to the Tasmanian Government's shambolic policy making, the completely dodgy RenewaBULL fudgery, the "Dangerous to Grid Operation & Totally Mad" RenewaBULL Transition/Transmission Nightmare plans that will NEVER work (as clearly outlined in NSW to Matt Kean & Andrew Lewis 10th Dec 2022 in Paul Miskelly's 10 page Rebuttal) & all of the dodgy, deceitful Electricity Network's totally unnecessary & ruinous Interconnector Transmission Line curse that has NO SOCIAL LICENCE & IS NOT FOR THE GREATER GOOD!

AEMO HAVE US HEADING FOR AN ALARMING, PATHETIC POWER POVERTY CATASTROPHE!!😱

This EXCELLENT Summary of AEMO's DISASTROUS PLAN is a MUST READ - written by great, trusted experts - unlike the false propaganda that vested interests, bureaucratic ideologues & delusional Politicians with no engineering or scientific expertise spin adnauseam!

A Reliability Assessment of the AEMO 2022 Integrated System Plan for the National Electricity Grid

by independent engineers and scientists

14 November 2022

This reliability assessment report concerning the 2022 Integrated System Plan (ISP) of the Australian Energy Market Operator (AEMO) follows up the submission made last February regarding the draft ISP. That assessment found that the ISP could not meet any of the government's goals for reliability, affordable costs and emissions reduction.

Additional analysis focused on reliability has been conducted subsequent to the publication of the 2022 ISP on 31st June. This report also reflects communications in the last few months with AEMO, energy regulators AEMC, AER and ESB, the Department of Industry, Energy and Emissions Reduction (DIEER), Hon Chris Bowen, Minister for Climate Change and Energy and other ministers.

This report has been prepared by independent engineers and scientists who have no monetary, employment, political or ideological links to this subject matter.

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Final-Asserssment-Report-Nov-2022
PDF Document · 2.2 MB

newcatallaxy.blog

"AEMO's 2022 ISP Electricity Grid Design CANNOT PROVIDE AUSTRALIANS WITH RELIABLE POWER.

Using data from AEMO's Integrated System Plan (ISP), a top-down, whole-of-system analysis for years 2030, 2040 and 2050 shows that the ISP grid design FAILS TO PROVIDE SUFFICIENT POWER FOR SYSTEM RELIABILITY regardless of wind and solar operating conditions.

The primary reasons are:
- Inadequate levels of dispatchable power generation;
- Inadequate capacity of energy storage; and
- Over-reliance on geographic diversity and interconnector transmission lines to ensure reliability.

A top-down, whole-of-system analysis inherently assumes 100% connectivity and yet the results show power generation in the planned National Electricity Market (NEM) grid as a whole are simply INSUFFICIENT TO PROVIDE RELIABLE POWER.
It is impossible to distribute adequate power with interconnectors that simply DOES NOT EXIST.

These DIRE RESULTS are a direct result of attempting to design an electrical grid with a vast majority of intermittent, highly variable, weather-dependent wind and solar generation with completely inadequate means for back up from dispatchable baseload power and energy storage systems.
NO RESPONSIBLE POWER SYSTEMS ENGINEER WOULD PROCEED WITH SUCH A NON-VIABLE PLAN.

Furthermore, the implications for the economy and for national security by relying on China, which dominates the market for wind and solar equipment and materials, is extremely negative."😳

The Northern Midland Solar/BESS EIS falsely
claims their plan will have no permanent negative impacts on agricultural resources or enterprises when extensive water/sediment run-off & erosion will inevitably, typically occur from irresponsible Solar Construction denuding the landscape (Reference: Photo/Video evidence from Bomen, Wagga Wagga, NSW) sterilisation of the soil, dry-land salinity & contamination will result from Solar's heavy metal leachate & highly poisonous, Fire inferno BESS Battery hazards.

Stacks of Embedded Energy - beginning with mining & production in China using Intensive Coal Fired Power has been intentionally excluded - as we know that:
The Starting Step for the Production Of Pure Silicon....$SiO_2 + C \rightarrow Si + CO_2$ ....**IS** the **Heart** of the Solar Panel!

Every step in the production of Solar PV power systems requires an input of fossil fuels - as the carbon reductants needed for smelting silicon from ore, to provide manufacturing process heat and power, for the intercontinental transport of materials, and for on-site deployment.
https://www.azbackroads.com/around-the-west/rangefire-massive-amounts-of-coal-and-wood-must-be-burned-to-create-solar-panels/

Neither has there been any calculation made for the most potent Green House Gas of all - man-made SF 6 - leaking from Solar manufacturing.

Whilst claiming to meet various Targets & Objectives of Reliable, Secure, Affordable, Clean, Sustainable Power & Emissions Reduction - NONE of this is true!
The Unethical, Weather Dependent, Pathetic Power, Hopeless Capacity Factor RenewaBULL Plan is causing Skyrocketing Electricity Prices/Cost of Living Crisis & a National Security Nightmare - with Solar Inverters made in China able to easily get be Remotely Disabled.

Where is the information in the EIS required to address the Commonwealth Modern Slavery Act & Amended Stormwater Management Plan - required prior to Construction? (Reference: Oxley Bridge Rd Solar Uranquinty Determination.)
Additionally, as outlined in detail by Stan Moore & adopted by NSW Farmers - up front Decommissioning & Rehabilitation Bonds are essential prior to Construction to avoid future abandonment of degrading, contaminating Industrialised Solar sites.

The EIS has failed to properly consider the plethora of significant impacts to TECs, numerous Critically Endangered, Endangered & Vulnerable creatures.

I OBJECT to all of this totally useless & unnecessary Solar + BESS + RenewaBULL Associated Transmission infrastructure as it is an unconscionable waste of public funds for the most illogical & harmful Fake Green, imaginary power delusion that could ever be orchestrated & forced on the Australian public against their will & for no benefit whatsoever!

These obnoxious, intrusive, anti-Australian plans have no environmental or public benefits whatsoever & have neglected to accurately address all of the following:-

****Food Security + Australian Energy Security = National Security**

****Australian Independent Energy = Coal, Gas & a clean, safe, Nuclear SMR Power future.**

****Which companies involved & all of their Solar/Wind/BESS connections are subject to the CCP's National Intelligence Law?**

****Public Health & Safety Risks - Electrical Force/Electromagnetic Radiation, Soil/Food/Water Contamination, Energy Deprivation.**

****Proper Research Needed - No Scientific Rigour.**

**** Engineering Facts Have Been Ignored.**

****Connecting Subsidised, Mandated Weather Dependent - Intermittent Solar/Wind to the Grid is the Worst Policy Failure in History.**

****Fake Green - Not Clean & Green or Sustainable at all - as the Full Lifecycle of Solar/Wind/BESS has to be accounted for.**

At least 1,000% more Mining + intensive energy & toxic pollution during processing.

****Power Sources Needed in major City areas instead - avoiding long distance transmission loss, ruination of rural Australia & harming Agricultural productivity.**

****Unconscionable scale of Industrialised Solar/Wind land mass required.**

Michael Shellenberger says it's approx 300-800 times more land required for Solar/Wind than for far superior conventional power generation.

****Massive Toxic Waste Burden being intentionally created for future generations that will NEVER be economically viable to recycle - if ever even possible.**

****Energy Security risks from inferior, unreliable, weather dependent, Dunkelflaute based Solar/Wind which will NEVER be base-load power available on demand.**

****Economic Suicide - Skyrocketing Energy Prices = Cost of Living Crisis. The more Mandated, Subsidised Solar & Wind in the system = the Higher the Prices.**

****National Security Risks - we need to rely on our own AUSTRALIAN Energy Sources rather than our Most Hostlie Enemy - the CCP.**

****Fake Green Wokeness = Weakness**

****Unethical Slave Labour Supply Chain Reliance - Solar's cruelly tortured Xinjiang Uyghurs & Cobalt for Wind Turbines + Batteries reliant on shocking treatment of the Congolese - with Child Labour - children as young as 6 years old forced to mine toxic cobalt in the Congo with their bare hands!**

****No Social Licence - Failed Planning, Consultation & Assessment/Approval process by the Government, Dodgy Developers, politicised AEMO & self benefiting Electricity Networks.**

****Immediate Moratorium & Independent Federal Inquiry Needed.**

No matter what alternative Transmission Line routes are considered or whether underground, none of that stops the subsidy hungry Solar/Wind/BESS environmental vandals from their relentless ruination & ugly eyesores, the unconscionable, intentional environmental destruction & inevitable contamination risks now cursing rural Australia - our communities, our limited - irreplaceable - life sustaining food resource land & vital water sources - in the disingenuous name of renewaBULL energy!

No amount of Fake Green bribery-like hosting dollars will ever cover the multitude of sins this disastrous plan will unleash on our precious Tasmania!

CONNECTING SUBSIDISED & MANDATED, INTERMITTENT SOLAR & WIND POWER TO THE GRID IS THE WORST POLICY BLUNDER IN OUR HISTORY!!
DUNKELFLAUTES WILL
BE POTENTIALLY CATASTROPHIC!!
https://www.spectator.com.au/2022/11/the-voice-of-energy-realism/

Solar/Wind utilities cannot be maximised simutaneously & should never be interfering with our once reliable & efficient electricity grid.
Any Power Generation Source That Can't Deliver Electricity On Demand is Pointless!
Hideous ecosystem-wrecking industrial Solar/Wind EG Works, BESS, associated infrastructure & invasive, unnecessary multiplication of Transmission Lines for such a costly, contaminating & wasteful form of electricity generation is illogical lunacy!

The essential consideration for & accounting of the full life-cycle of this Industrialised Solar, BESS & Transmission Line plans have been omitted - as Developers, Networks, , AEMO, the Tasmanian & Federal Government pretend that Fake Green components magically pop into existence, when it is absolutely essential to make all emissions transparent - including from the extraction of the raw materials - extensive toxic pollution, intensive energy used for processing/manufacturing, potent SF6 greenhouse gas emission leakage & on site impacts - through to the disposal of vast amounts of toxic, clapped out Solar panels, toxic Turbine blades & BESS (after only 7-10 years!)

The science is largely dismissed, and only used selectively when it suits the agenda - rather than informing what the actual agenda should be.
Fake Green imaginary power lunacy is dominated by politicians & policy makers who have little or no technical competence at all in the field of energy engineering.
Just like Federal Environment Minister Tanya Plibersek claiming increased renewables mean **"CHEAPER, CLEANER ENERGY, LOWER POWER BILLS & LOWER POLLUTION" (**SMH 10th April 2023,) these empty promises **are totally false!**
In responding to forecasts of a global recession, Treasurer Jim Chalmers said "We need to make ourselves resilient to these shocks" (ABC 12th April 2023) - yet he is presiding over the most comprehensively weakening, self sabotaging, energy depriving/cost of living disaster ever!

The public are now discovering the reality of skyrocketing electricity prices from unreliable weather dependent Solar/Wind - based on Dunkelflautes.

It is totally against the best interests of all Australians to enable electricity reliance on the Chinese Communist party & their unethical Slave Labour supply chains.
Transitioning to **an electricity system based on CCP control & Chinese manufactured components is sabotaging Australia by <u>ENABLING BEIJING TO TURN OUR LIGHTS OFF!!</u>**
There are no safeguards in place in Australia that would prevent any of the embedded electronics in grid-connected Solar/Wind EG Works & BESS covertly transmitting potentially valuable information. Chinese produced Solar Inverters & EV's are able to be remotely disabled by the CCP!

Instead of chaotic & inefficient, weather driven supply, with policies driven by socialist WEF ideology instead of engineering facts, **Australia needs to rely solely on our own plentiful, reliable, efficient, affordable, secure Coal, Gas & Uranium for a clean, safe Nuclear SMR power future.**

With energy shortages, war on the horizon, skyrocketing prices, blackouts & energy deficit since the closure of Liddell Power Station in NSW 28th April 2023, popular presumptions underlying energy policy must be seriously questioned.

The demand for 'green' power hurts the environment - with an appallingly huge environmental footprint, only rendered worse by their ineffectiveness at meeting basic power needs.

Inferior, intermittent, Fake Green renewaBULL energy **disturbs our independent way of life, denies us modern conveniences, affects our security, economic prosperity, our health & wellbeing & destroys Intergenerational equity for future generations.**

Solar & Wind generation is material intensive & energy dilute.
According to Michael Shellenberger "The underlying problem with renewables is their low power density, which is why it takes Wind/Solar projects 300-800 times more land to generate the same amount of electricity as from conventional sources."

Claims that installing 40 (7 MW) Wind Turbine monstrosities per month until 2030 & more than 22,000 toxic Solar Panels per day - totalling 60 Million by 2030 + tonnes of filthy, toxic BESS with 28,000 kms of ugly, unhealthy & unnecessary Transmission Lines (totally unnecessary with independent Australian Coal, Gas & Nuclear SMR's) will improve conditions, productivity, the environment & the planet are clearly blatantly false!

Where is the Integrity, the Ethical Implications & the Engineering Facts & Scientific Determination to prove any of these claims?

What about the essential sovereign capability of our Electricity Grid - Critical Energy Infrastructure - that underpins our National Security?
China's Communist Party has infiltrated and outright bought astoundingly pervasive influence in our economies, universities, and political institutions, while compromising the cyber security of companies and utilities.
China can now paralyze much of our infrastructure, while laughing as we have outsourced almost all our manufacturing capabilities to China and, courtesy of an intellectually challenged Minister for Energy we – unbelievably - pursue renewable technologies that make us still more comprehensively dependent on China!
Where is our determined response to China's declaration of war on us?

I DO NOT CONSENT TO MY FAMILY OR MYSELF BEING DETRIMENTALLY HARMED IN ANY WAY BY THESE GHASTLY, INVASIVE & HARMFUL INDUSTRIALISED SOLAR/BESS & ASSOCIATED TRANSMISSION INFRASTRUCTURE PLANS OR ANY OTHER FAKE GREEN, RENEWABULL NIGHTMARE PLAN IN TASMANIA/AUSTRALIA - including but not limited to:-
****Public Health & Safety Risks - Personal Discomfort & Health Impacts from Electrical Force - EMR & Deprivation or Contamination of Life Sustaining Food Resource Land, Food Supplies & Water Supplies.**
****Unplanned for, Not Even Researched & Not Appropriately Assessed, Toxic Carcinogenic & Teratogenic Fire/Smoke Hazard Risks.**
****Energy Deprivation - Lack of Reliable, Affordable Electricity - Resulting from Inferior, Unreliable Solar/Wind Generation causing Austerity, Suffering, ill Health & Loss of Basic Services.**
****Consequential Skyrocketing Electricity Prices - Causing Energy Poverty, Cost of Living Crisis, Hardship & Potential Death from Hyperthermia.**
****Unjust Mistreatment of Landholders & Rural Communities Forced to Endure Such Detrimental Plans - Causing Extreme Distress, Anxiety, Depression, Grief, Family/Social Fracturing & Loss.**
****Deprivation of Rural Outlook & Quality of Life - With Unhealthy, Distressing Noise, Infrasound & Visual Pollution.**
****Emotional Distress, Suffering & Hardship Caused by Government Inflicted Skyrocketing Energy/Cost of Living Crisis.**
****Detrimental Consequences of increased SF6 emissions.**
****Increased Economic Hardship due to Failure of Councils to do their Due Diligence, to Address Compliance, to be Transparent & to be Honest, to Address the Facts & Community Concerns, ie. Additional Council charges for Flawed Assessments & Wrong Approvals - Leading to Unplanned for Clean up & Remediation Costs for Abandoned, Derelict, Contaminating Solar/Wind EG Works & BESS.**

****Any Detrimental Cost Implications for Ratepayers from the Council's & any Government Body's Persistence in Ignoring Their Duties Regarding the Unethical Hosting, Procurement & Power Purchase Agreements With Energy Generation Reliant on Unethical Slave Labour Supply Chains.**
****Loss of Productivity & Income Due to Contamination, Increased Fire Risk & Heat Island Impacts from Solar/Wind EG Works & BESS.**
****Any Cyber Security Breaches or National Security Threats & Harm Caused.**
****Any Costs Incurred for Ratepayers & Taxpayers by Dealing With the Obvious, Economic Suicide - the Financial Consequences for the Future of Making Seriously Retrograde Decisions by Hosting & Approving Such Harmful Solar/Wind EG Works, BESS & Associated Unnecessary Transmission Infrastructure.**

References:

****The 'Sunk Cost' Trickery That Makes Renewables Seem Cheaper Than They Are - 23rd July 2023.**
https://www.fresheconomicthinking.com/p/the-sunk-cost-trickery-that-makes?utm_medium=web
AIDAN MORRISON (Entrepreneurial data scientist based in Sydney. Physics background, interests in military technology, economics and energy.)

How CSIRO justifies the exclusions: "Sunk Cost"
But wait, this deception is so brazen and transparent…….
All of these tens of billions of dollars of projects are explicitly excluded from the cost of integrating renewables.

****The $10 billion cabal of renewable subsidies killing coal - Alan Moran - 24th July 2023**
https://www.regulationeconomics.com/_files/ugd/b6987c_a76d14823d6342a298b70841f99b7f71.pdf

Please find photographic evidence of the Hail Fractured Solar Panels elsewhere & the Environmental Destruction caused at Bomen Wagga Wagga from the typically careless, irresponsible Solar Construction process - serious, unmitigated Water Run-Off & Erosion Damage which has Created a Nuisance - killed neighbouring crops, made the neighbour's property totally inaccessible for 6 months & caused ongoing harm & distress - resulting in the Solar Host being subject to Litigation.

Please see the 2 Fractured/Damaged Solar Panel photos here in addition to the Big Hail Stones & Hail Fractured Roof Top Solar Photos included in the Oxley Bridge Rd Solar Determination Link - along with the Solar Contamination Audio of Professor Ian Plimer outlining Toxic Solar Contamination facts.

The 3 videos are evidence of the Water Run-Off/Erosion Damage caused by Environmentally Vandalising Industrialised Solar EG Works at Bomen, Wagga Wagga
The final photos provided are of our Bomen Wagga Wagga yellow Canola midst ghastly industrialised Toxic Solar Solar Panels - 'If Cloud Could Talk - The Finger of God in Righteous Anger,' showing Divine Intervention with a very Apt Photo of disgust - followed by & the Riverina Oils Bottle of Oil & Hat - an expression of deep concern for future Contamination for our precious Land & vital Water sources from Toxic Solar.

https://share.icloud.com/photos/0bcxP4XIHFWp3o2e6_noDF1qg
https://share.icloud.com/photos/044WiP2UlQAmDhJzakyMYXzYQ
https://share.icloud.com/photos/09bgAEdhnEFMY6URhdktgTAWw
https://share.icloud.com/photos/0c33rb-4jmCWB6lEMVYGqucTg
https://share.icloud.com/photos/0b2rOnfDfOvcfxGr1nwAYwrAw

TWO NEW PRECEDENTS HAVE BEEN SET by Oxley Bridge Rd Uranquinty Solar Determination 24th Nov 2022 - NEW MODERN SLAVERY CONDITION & AMENDED STORMWATER MANAGEMENT PLAN (re CONTAMINATION.)

Hail Storm Photos & Industrialised Solar Contamination Risk to Our Reliably Productive Food Bowl at Bomen, Wagga Wagga Photo are included via this link also - the Hail Stones & some of the Fractured Solar Panels from the damaging 31st Oct 2020 event that left masses of broken Solar panels in situ for a shocking 10 - 11 months without Due Care - with some panels still remaining fractured & leaching contaminating heavy metals years later!

https://apps.planningportal.nsw.gov.au/prweb/PRRestService/DocMgmt/v1/PublicDocuments/DATA-WORKATTACH-FILE%20PEC-DPE-EP-WORK%20PPSSTH-149!20221124T045856.774%20GMT
(*Including Audio of Professor Ian Plimer's Presentation on Solar Contamination.*)

1. NEW MODERN SLAVERY CONDITION- requiring proof prior to construction that NO Slave Labour supply chain components be used in construction.
****New Condition Inserted C4A - Dealing With Modern Slavery.**
Commonwealth Modern Slavery Act 2018

***NSW Local Council Act 1993**
428 Annual Report
438 ZE Duty to Ensure Goods & Services Are Not Procured From Modern Slavery.

This applies to all NSW Government Bodies - including Councils - for those who Host, Procure or have a Power Purchase Agreement with Solar/Wind Energy Generation/BESS whose construction has used Modern Slavery Supply Chain Sourced Components
eg. City of Sydney, the Opera House, Kiama, Shoalhaven, Shellharbour Councils & Westpac, etc. have an unethical PPA with Spark Infrastructure's Xinjiang Jinko Solar based Bomen Solar - unethically Hosted by Wagga City Council.
REROC has an unethical PPA with Iberdrola - with Xinjiang JA Solar based Avonlie Solar - unethically Hosted by Narrandera Shire.

2. AMENDED STORM WATER MANAGEMENT PLAN CONDITION re-CONTAMINATION – QUALIFIED TESTING/REPORTING, CONTAMINATION RESPONSE PROCEDURE, etc.

****Amended Condition C8.**
Prior to Commencement of Any Works - Storm Water Management Plan.
On Site & Discharge From the Site.
Testing Points & Regular Water Samples, Suitably Qualified Person.

Written Response Procedures if CONTAMINATION is Found - required PRIOR to CONSTRUCTION.
Availability of Results.
……

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Slave Labour Supply Chains

Missing Information Thwarts Ethical Sourcing

Murphy and Crawford's report, Over-Exposed: Uyghur Region Exposure Assessment for Solar Industry Sourcing

**The graphs indicating companies & solar panels connected to Xinjiang are in the following 2 links:-
https://desdemonadespair.net/2021/05/forced-labor-from-chinas-uighur-muslims-behind-global-supply-of-solar-panels.html

Xinjiang Solar Panels - Uyghur Slave Labour/Concentration Camps/Genocide - 'In Broad Daylight' - Professor Laura Murphy
https://www.shu.ac.uk/-/media/home/research/helena-kennedy-centre/projects/pdfs/evidence-base/in-broad-daylight.pdf

The Office of the United Nations High Commissioner For Human Rights
https://www.ohchr.org/sites/default/files/documents/countries/2022-08-31/22-08-31-final-assesment.pdf

****Australia ratifies International Forced Labour Protocol | Australian Minister for Foreign Affairs Minister for Women Marise Payne**
https://www.foreignminister.gov.au/minister/marise-payne/media-release/australia-ratifies-international-forced-labour-protocol

****Implementation of the Magnitsky Act is another avenue to ensure this shamefully unethical industry is not exploited in Australia.**

****BLOOD BATTERIES - THE DARK SIDE OF ELECTRIC VEHICLES** - Gravitas Plus YouTube
https://m.youtube.com/watch?v=RFHvq-8np1o

THE DISTURBING REALITY OF COBALT MINING FOR RECHARGEABLE BATTERIES.
"CLEAN COBALT IS A FICTION – THERE IS NO CLEAN COBALT - IT'S ALL MARKETING!"
People need to get educated so they are agitated about it enough to do something to change this.
https://www.news.com.au/finance/business/mining/harvard-professor-explains-heartwrenching-source-of-electric-vehicle-iphone-batteries/news-story/db881f47c76db89581409c092a740c4c
Joe Rogan exposes sad truth about cobalt used in electric vehicle, iPhone batteries |news.com.au — Australia's leading news site.
Cobalt is in all iPhones, tablets & crucially EV's - it maximises charge & stability.
Before anyone knew what was happening the Chinese Government & Chinese companies took control of almost all of the big mines in the Congo, with the local population displaced & the Congolese people under duress - digging in subhuman, gut wrenching conditions - using all raw human force - clanking the cobalt out of the ground!
Throughout the whole history of slavery, never has there been more suffering that generated more profit than was linked to more lives of people around the world than what is happening today in the Congo - mining cobalt in appalling, heart wrenching & dangerous conditions.

**Solar farm runoff pollutes property, couple awarded $135 million - CFACT

Sediment Run-Off Contaminating Land/Water - Court Case -
"Created, Operated, and Maintained a Nuisance"

Solar farm runoff pollutes property, couple awarded $135 million - CFACT
https://www.cfact.org/2023/06/06/solar-farm-runoff-pollutes-property-couple-awarded-135-million/
By Bonner Cohen, Ph. D. |June 6th, 2023

https://www.ourwebofinconvenienttruths.com/letter-16/
5. **Solar PV panels can disrupt aquatic insects' reproduction**. At least 300 species of aquatic insects (i.e. mayflies, caddis flies, beetles and stoneflies) typically lay their eggs on the surface of water. Birds, frogs and fish rely on these aquatic insects for food. Aquatic insects can mistake solar panels' shiny dark surfaces for water. When they mate on panels, the insects become vulnerable to predators. When they lay their eggs on the panels' surface, their efforts to reproduce fail. Covering panels with stripes of white tape or similar markings significantly reduces insect attraction to panels. Such markings can reduce panels' energy collection by about 1.8 percent. Researchers also recommend not installing solar panels near bodies of water or in the desert, where water is scarce. [9]

https://www.ourwebofinconvenienttruths.com/letter-16/

https://www.9news.com.au/national/bouldercombe-battery-fire-sparks-warning-for-residents-in-regional-queensland/b4b3058a-cb0b-4209-a02d-6b12d80c63ac

****Rising Chorus of Renewable Energy Skeptics**https://thetyee.ca/Analysis/2023/04/07/Rising-Chorus-Renewable-Energy-Skeptics/

****The Unbearable Lightness of Renewables – In Time – Watts Up With That?**

https://wattsupwiththat.com/2023/04/18/the-unbearable-lightness-of-renewables-in-time/

****Does China's rapid rise in the Australian car market pose a security risk? | The Strategist**
https://www.aspistrategist.org.au/does-chinas-rapid-rise-in-the-australian-car-market-pose-a-security-risk/

****Simon Orme - IEEFA Report**
https://ieefa.org/media/3234/download?attachment

****Energy Vandalism and Impossible Dreams – Peter Smith - Quadrant Online 16th April 2023**
https://quadrant.org.au/opinion/doomed-planet/2023/04/energy-vandalism-and-impossible-dreams/

****Australia's Self Inflicted Wind/Solar Calamity Demands Permanent Nuclear Power Solution!**
https://stopthesethings.com/2023/04/30/australias-self-inflicted-wind-solar-calamity-demands-permanent-nuclear-power-solution/
****China's Dream - Patricia Adams**
https://www.thegwpf.org/content/uploads/2021/12/Adams-Chinas-Energy-Dream.pdf

Australians are Unjustly Forced to Subsidise Unethical, Contaminating, anti-Australian Electronic Junk!
****Energy Drowning in Subsidies**
https://www.regulationeconomics.com/_files/ugd/b6987c_91012ad6a64b401e8e915a45c79911b4.

Inside the Carbon Cult - Competitive Enterprise Institute
https://cei.org/studies/inside-the-carbon-cult/

****Whack-a-mole approach' to Chinese surveillance tech | The Canberra Times | Canberra, ACT**
https://www.canberratimes.com.au/story/8258420/whack-a-mole-approach-to-chinese-surveillance-tech/

****Dead chickens and decomposing bodies: Inside South Africa's power blackout 'pandemic' - Egypt Independent**
https://egyptindependent.com/dead-chickens-and-decomposing-bodies-inside-south-africas-power-blackout-pandemic/

Australian Democracy is rapidly diminishing with vested interests ensuring that the "Core of the Totalitarian State is the Lie!"
The Government needs to stop its exaggerated hysteria & Stop Equating Climate Change with Climate Danger as
the 'Carbon Cult' Obsession is Resulting in a Dire, Contaminating, RenewaBULL Transition to Extinction that has Life Threatening Consequences & is NOT FOR THE GREATER GOOD!

Our ref:108700.05PLN-23-0091; Cogency Australia Pty Ltd

23/10/2023

Cogency Australia Pty Ltd
61 Bangalore St
KENSINGTON VIC 3031
via email: rebecca@cogencyaustralia.com.au

NORTHERN MIDLANDS COUNCIL

Dear Rebecca,

137968/1; 138284/1;142369/1&3; 145786/3;145787/1;145788/1;204030/1, 394 CONNORVILLE ROAD, CRESSY
Representations received to Planning Application PLN-23-0091 - Large scale solar energy facility & associated infrastructure (Utilities)

I refer to the abovementioned application and wish to advise that representations have been received. A copy of the representations are attached. (Please note that names and addresses remain private until mediation is arranged, or a report is prepared for a Council meeting.) Your comments in response to the representation/s are invited prior to a mediation session and/or completion of assessment of the application. If you wish mediation to be conducted, you must notify Council in writing (see notes below).

If the parties cannot reach agreement through mediation, the application will be determined at a Council meeting – the next available meeting is due to be held on **Monday 20 November 2023** Council meetings are held in the Council Chambers at the Council Offices, 13 Smith Street, Longford starting at 5pm. Council Agendas are available on our website on Thursday in the week prior to the meeting. If the parties can reach agreement, the application can usually be determined by delegation and a permit issued within the week following notification of the agreement.

If you have any queries regarding your planning application, I invite you to contact Council's Development Services Department on 6397 7303, or email planning@nmc.tas.gov.au

Yours Sincerely

Sylvia Goldspink
Administration Officer

Enc: Copy of Representations

Copy: Connorville Station Pty Ltd, 394 Connorville Rd, Cressy 7302
Via email: roderic@connorville.com.au
Note: Due to privacy laws, Council officers only hold discussions with applicants (e.g. when an applicant is acting as the owner's agent, all enquiries must be directed through the applicant).

s57A of LUPAA

Section 57A of Land Use Planning & Approvals Act notes as follows regarding mediation:

(1) *In this section, "party" means any of the following persons:*

(a) a person who made an application …

(b) the planning authority …

(c) any person who made a representation …

(2) *If the applicant for a permit under section 57 or any person who has made a representation under section 57(5) requires mediation to be conducted in relation to the application, the applicant or other person must notify,* ***in writing,*** *the planning authority.*

(3) *If the planning authority receives notification under subsection (2) or wishes mediation to be conducted in relation to an application for a permit under section 57, it must notify in writing any other party and seek the agreement of that party for mediation to be conducted in relation to the application.*

(4) *If 2 or all parties agree that mediation should be conducted in relation to an application for a permit under section 57, the parties must agree on the person who is to conduct the mediation and on any other terms or conditions in relation to the conduct of the mediation.*

(5) *If 2 or all parties agree that mediation should be conducted in relation to an application for a permit under section 57, the period within which the planning authority must make its decision in relation to the application may be extended under section 57(6A).*

NORTHERN MIDLANDS COUNCIL
POLICY MANUAL

PLAYGROUND SHADE & FENCING

Originated Date: Adopted Date – Min No. …/…

Amended Date/s:

Applicable Legislation: Australian Standards AS 4685.0:2017 - Playground equipment and surfacing Part 0: Development, installation, inspection maintenance and operation.
Building Act 2016
Tasmanian Planning Scheme

Objective To provide shade to public places, facilities and open spaces throughout the municipality

Administration: Works & Infrastructure

Review Cycle/Date: Every four years, next review 2027.

1. PURPOSE

As part of creating a healthy and safe environment, Northern Midlands Council has a key role to play in providing the community with public playgrounds that provide protection from sun exposure.

2. AIM

2.1 Shade

To reduce the incidence of skin cancer in the Northern Midlands Council municipality by increasing the provision of sustainable, quality shade within the municipality and encouraging the sun protection practices of the community.

2.2 Fencing

Provide safe playground environments from roads and permanent watercourses.

3. STATEMENTS

- Council aims to provide safe and attractive playground facilities for the community. This includes the provision of sustainable, quality shade. Council recognises that there are opportunities to improve the provision of shade across existing and newly developed council facilities.
- Community members within the municipality are also to be encouraged to practice personal protection measures as recommended by SunSmart and other sun safe initiatives.
- Quality shade provides protection from solar UV radiation at the right place at the right time. Priority areas for shade provision are places where people gather at times of peak UV, in particular between 10am and 2pm Eastern Standard Time and 11am and 3pm Daylight Saving Time.
- Sustainable shade solutions usually involve strategic planting of trees and other vegetation incorporated with built shade to provide sun protection.
- Safety should also be a major consideration in the provision of either natural or built shade. The provision of shade should not create safety hazards.

4. APPLICATION

- Ensure that consideration of shade is incorporated into urban and open space planning.
- Ensure the consideration of shade when planning and approving public facilities and renovating existing infrastructure including landscape design.
- Increase the provision of sustainable, quality shade at playgrounds within the municipality.

- Increase the provision of shade at community events, including the erection of portable shade structures at community events.
- Increase the provision of sustainable, quality shade in new estate developments.
- Encourage community members to adopt sun protection practices to reduce individual risk.
- Ensure that shade provision is incorporated into other existing policies across council and budget allocations.
- Provide signage at playground facilities/spaces encouraging sun protection practices, including seeking shade, for individuals.
- Take advantage of existing campaigns and strategies to promote sun safe behaviours to the community and endeavour to initiate further strategies that will address local needs and circumstance.
- Ensure any tree removal required for public safety does not result in any loss of shade via replacement tree planting or constructed shade.

5. ASSESSMENT GUIDELINES

5.1 Shade

A shade audit will be conducted within the Northern Midlands area to identify the need for shade (including reflection mitigation) at public facilities and assess the suitability of existing shade provision. The audit should also include recommended timeframes for the establishment of new or additional shade. The audit must be reviewed and updated as part of the review of this policy. The audit should include a visual assessment of:

- Equipment and facilities available
- Surface materials for UVR reflection
- Existing built and natural shade
- Effectiveness of existing shade in relation to facilities
- Level of usage

5.2 Fencing

Fencing shall be provided around play equipment in playgrounds and open space when any of the following occur:

- The play equipment is within 20m of a title boundary adjacent to a main road or a road with a speed limit of greater than 50km/h.
- The play equipment is bordered on two or more sides by a road/s and is within 20m of the roadside boundaries.
- The play equipment is located adjacent to a permanent watercourse or permanent body of water.

The following documents are to be used as a reference for auditing and assessment:

- *Australian Standards AS 4685.0:2017 - Playground equipment and surfacing Part 0: Development, installation, inspection maintenance and operation*
- *Creating Shade at Public facilities, Policy & Guidelines for local Government - Edition 2*

6. REVIEW

The Council will review this policy at least every four years.

Minister for Housing and Construction
Minister for Local Government
Minister for Sport and Recreation
Minister for Stadia and Events

Level 5, 4 Salamanca Place, HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7794
Email: nic.street@dpac.tas.gov.au

Tasmanian Government

8 NOV 2023

Cr Mary Knowles
Mayor
Northern Midlands Council
mary.knowles@nmc.tas.gov.au

Dear Mayor

I write to you to draw your attention to the release of a discussion paper titled *Managing conflicts of interest of councillors - framework proposal* and invite you to provide feedback on a proposed draft framework to better manage local government elected officials' conflicts of interests. The Tasmanian Government is pursuing these reforms to enhance and strengthen the governance and professionalism of our local government sector.

The proposed framework has been developed by a Working Group comprising representatives from the Local Government Association of Tasmania, Tasmanian council representatives and the Office of Local Government.

The discussion paper proposes reforms to the current regulatory framework under which councillors must manage conflicts of interest in the course of their official duties.

A range of reforms are proposed for discussion, including:

- **Changes to the way conflicts of interest are classified**

  It is proposed that the classification of conflicts of interests would change from the current pecuniary interests regulated through the *Local Government Act 1993*, and non-pecuniary interests which are regulated through the *Code of Conduct for Councillors*, to actual, perceived, and potential conflicts of interest, all of which would be regulated through the Act. All types of conflict of interest would include both pecuniary and non-pecuniary conflicts of interest.

- **Disclosure of interests by councillors**

  It is proposed that personal interest returns are submitted by all councillors soon after they are elected and thereafter on an annual basis throughout their term. It is proposed that personal interest returns will be made publicly available to promote transparency and accountability.

  As well as lodging personal interest returns, it is proposed that councillors must disclose the fact that they have an interest in a matter, and the nature of the interest, before a council meeting, workshop, agenda briefing or other forum where the matter would be discussed.

- Management of conflicts of interest

  It is proposed that when a councillor has an actual conflict of interest (pecuniary or otherwise) they must exclude themselves from attendance of any official council forum while the matter is being discussed. Additionally, councillors with an actual conflict of interest should not have access to deliberative material and information on the matter.

  Where a councillor has a perceived or potential conflict of interest, it is proposed that they should exercise their own reasonable judgment as to whether to participate in a meeting or other forum where the matter is discussed. However, in certain circumstances it may be appropriate for the council to overturn a councillor's decision to participate.

A range of other reforms are also proposed, including: the development of proactive conflict management plans, the strengthening of penalties for breaches of the Act to bring Tasmania in line with other States, and the development of appropriate guidance material for councillors and council staff.

I strongly encourage councils, council staff, and councillors individually to engage with this important proposal.

Feedback is welcome until midnight on 22 December 2023, preferably by email, and can be submitted to lgconsultation@dpac.tas.gov.au. You may access copies of the discussion papers and further information on the Office of Local Government website: www.dpac.tas.gov.au/council-consult

Yours sincerely

Hon Nic Street MP
Minister Local Government

cc. Des Jennings – des.jennings@nmc.tas.gov.au

Managing conflicts of interest of councillors

Framework proposal/discussion paper

Office of Local Government
Department of Premier and Cabinet

Tasmanian Government

Publisher:
Department of Premier and Cabinet

ISBN:
[ISBN number]

Date:
November 2023

Contents

Introduction

Background

The Tasmanian Government is committed to supporting and strengthening Tasmania's local government sector and ensuring that our local councils are equipped to serve their communities. In 2020 following extensive public consultation, 51 legislative reforms were approved by the Tasmanian Government as part of the Local Government Legislation Review. Two of the proposed reforms directly address conflict of interest issues.

On 29 September 2022, the Integrity Commission released a summary report of its own-motion Investigation Fisher. The report presented its findings into alleged misconduct of a councillor surrounding undeclared conflicts of interest.

An additional research paper produced by the Integrity Commission, based on the findings from Investigation Fisher, highlighted gaps in the current regulatory framework for managing the interests of councillors in local government and recommended potential reforms.

Early in 2023 the Office of Local Government convened a local government sector working group to develop a proposal for an effective and contemporary framework for managing conflicts of interests. The working group has informed the development of this framework proposal and endorsed its release for consultation. The Premier's Local Government Council (PLGC) met on 27 July 2023 and endorsed the outline of the draft framework that is now presented for consultation.

Changes to legislation will be required to give effect to the proposed reforms. Accordingly, this document is presented as a "framework proposal". Consequently, throughout this document, references to future legislation are subject to consideration by Government, which will be informed by this engagement.

Making a submission

Submissions on this framework proposal are welcome from members of the community, stakeholders, councils, and elected representatives. Respondents are encouraged to review the principles, specific reform proposals, and context outlined in this paper to inform their feedback.

Submissions might consider the following:

- Do the provisions of the proposed framework reflect the guiding principles?
- Does the proposed framework support public confidence and trust in local government?
- Are the proposed exemptions to conflicts of interest comprehensive, practical, and suitable for adoption in Tasmania?
- When determining what information contained in a Personal Interest Return should be exempt from publication, are the examples provided appropriate for adoption in Tasmania?

Submissions by email to lgconsultation@dpac.tas.gov.au are preferred.

Alternatively, submissions may be provided by mail, addressed to:

Attention: Managing interests framework
Office of Local Government
Department of Premier and Cabinet
GPO Box 123

HOBART TAS 7001

Submissions must be received by 5:00pm on 22 December 2023.

Submissions will be treated as public information and published on the Department of Premier and Cabinet's website. If you would like your submission to be treated as confidential, you must indicate in writing, at the time of providing your submission, the parts of your submission you wish to remain confidential and provide the reasons for this. Please consult the Tasmanian Government's Public Submission Policy for further information. Submissions will be published after consideration by Government.

Proposed changes to managing conflicts of interests of councillors

Proposed change	Page
1. This framework introduces six guiding principles: 1) integrity 2) impartiality 3) transparency 4) accountability 5) proactivity and responsiveness 6) consistency.	9
2. Currently in Tasmania, pecuniary (financial) conflicts of interest are regulated through the *Local Government Act 1993* (the Act). Non-pecuniary interests are regulated through the Code of Conduct. Under this proposed framework, all conflicts of interest will be regulated through the Act and will be classified either as actual, perceived or potential conflicts of interest. For this reason, the Code of Conduct Panel would no longer assess alleged conflicts of interest and all types of conflicts of interest may be either pecuniary or non-pecuniary.	11
3. Councillors will be required to disclose both the fact that they have a conflict of interest and the nature of the conflict of interest before a council meeting, workshop, agenda briefing or other forum where the matter would be discussed.	14
4. After disclosing an actual conflict of interest, councillors must exclude themselves from meetings, workshops, agenda briefings or other forums during discussion on the matter. Councillors with an actual conflict of interest will have restricted or no access to deliberative material and information on those matters.	14
5. After disclosing a perceived or potential conflict of interest, councillors must exercise their own reasonable judgment as to whether or not to participate. In certain circumstances, it may be appropriate for the Council to overturn a councillor's decision to participate.	14
6. The management of perceived and potential conflicts of interest needs to be flexible to reflect the variety and broad scale of conflicts that could be included. Changes to the Act will be considered to empower the Minister to introduce guidance around how assessments and judgements are made and the types of management options that are available, especially if a perceived or potential conflict of interest is disclosed.	14

Objectives

Any perception that local governments may be unable to make fair and unbiased decisions has the capacity to erode their legitimacy and have negative impacts on their functioning.

This framework sets out a contemporary approach for identifying, managing, and mitigating councillors' personal interests and conflicts of interest, while ensuring that councillors' decisions and actions are guided by ethical principles. It is aligned with the *Good Governance Guide for Local Government in Tasmania* published by the Department of Premier and Cabinet.

Two key objectives of good governance in local government (and all decision making of public officials) are to:

1. Ensure that decisions are made in the best interests of the community and free from bias arising from the personal interests of decision-makers.
2. Promote trust in decision-making in local government by managing perceptions of bias arising from perceived personal interests of decision-makers.

These are the primary objectives of this framework for managing conflicts of interest of councillors.

Guiding Principles

Implementing a principles-based framework encourages a culture of ethical behaviour, professional conduct, and good governance, while also fostering trust and confidence among constituents and other stakeholders.

Councillors should uphold the following six principles when managing their personal interests in the course of their duties. All councils and councillors should bear these principles in mind when managing interests and deciding how legislation and regulations should be interpreted and applied.

Integrity

Integrity is a value that underpins all councils' trustworthiness. Having integrity as a foundational principle demonstrates a commitment to ethical conduct and responsible governance. Integrity underscores the importance of self-awareness and self-regulation while encouraging councillors to recognise and disclose conflicts of interest that arise in the course of their duties. Integrity serves as a guiding principle for councillors to navigate conflicts responsibly and make decisions in the best interests of the council and its constituents.

Impartiality

Impartiality is a fundamental principle of ethical conduct. Councillors committed to acting impartially will prioritise their duties as a councillor, and the welfare of their constituents, over their personal interests. Impartiality promotes fair and unbiased decision-making and fosters trust among stakeholders and constituents.

Accountability

Accountability is a fundamental requirement of good governance. Accountability ensures that councillors are responsible and answerable for their actions and decisions. It promotes transparency by requiring councillors to disclose their interests. When councillors demonstrate that they are accountable for identifying and managing conflicts of interest, it enhances confidence in council's decision-making processes and governance.

Transparency

The community should be able to follow and understand council's decision-making process. Transparency promotes accountability, trust and fairness within local government and ensures that councillors are aware of their obligation to disclose conflicts of interest. A culture of transparency and openness will minimise the occurrence of undisclosed conflicts of interest and ensure decision-making processes are fair and unbiased, safeguarding the integrity of decisions. Transparency serves as a vital foundation for the success of this framework and the maintenance of trust among constituents.

Proactivity and Responsiveness

Councillors should proactively disclose and manage conflicts of interest at the earliest possible stage. Simultaneously, the requirement to be responsive promotes a dynamic approach to managing conflicts of interest and ensures that they are promptly and appropriately addressed.

Consistency

This framework increases clarity surrounding the management of interests, which in turn will promote a consistent approach across the State in line with community expectations of good governance. Consistency is reinforced by adopting the Integrity Commission's classification system of conflicts of interest, introducing best practice principles used across Australia, and updating penalties so that they are commensurate with those in other jurisdictions. When councillors collectively disclose and manage their interests in line with this framework, they help maintain high standards, setting a strong example as leaders in their community.

Classifying Interests

Introduction

In Tasmania, interests for councillors in Local Government are currently categorised as either pecuniary (financial) or non-pecuniary (non-financial). Pecuniary conflicts of interest are regulated through the *Local Government Act 1993* (the Act). Non-pecuniary interests are regulated through the Code of Conduct (the Code).

The Local Government Act Legislation Review identified the current arrangements as confusing for councillors and difficult to manage, especially as pecuniary and non-pecuniary interests operate with different regulations and sanctions.

The Act, while managing actual pecuniary conflicts of interest, is silent on how perceived pecuniary interests should be managed. Under the Code, non-pecuniary interests are not clearly defined making the Code difficult to interpret and enforce. The most severe sanction for a councillor participating in council meetings with a serious undeclared non-pecuniary conflict of interest is a three-month suspension from duties without allowances, after which they resume their position on the council.

Under this proposed framework, a conflict of interest arises when a councillor has an interest in any matter with which the Council is concerned that may impact on their ability to make an impartial decision. All conflicts of interest will be regulated through the Act and will be classified as either actual, perceived, or potential conflicts, following the Integrity Commission classifications.

For this reason, the Code of Conduct Panel would no longer assess alleged conflicts of interest and all types of conflicts of interest may be either pecuniary (financial) or non-pecuniary.

Actual conflict of interest

A councillor has an actual conflict of interest in respect of a matter if an impartial, fair-minded person would consider that the councillor would gain a benefit or suffer a loss from a decision made by the council. The benefit gained or loss incurred may arise directly (ie directly to them) or indirectly (ie through a close associate) or be of a pecuniary or non-pecuniary nature.

A pecuniary benefit or loss is one that can be measured in money. However, a benefit or loss does not have to be pecuniary.[1] Non-pecuniary benefits or losses might include:

- an impact on a person's social or community standing;
- an impact on a person's residential amenity; or
- a permit allowing a person to conduct an activity.

[1] *Managing Personal Interests in Local Government - A manual for council managers and governance officers*, p 13, Local Government Victoria, October 2020.

Perceived conflict of interest

A perceived conflict of interest is when a councillor may appear – to a reasonable person familiar with the facts of the situation – to be influenced in a manner that is contrary to their public duty to impartially perform the role of a councillor. It is still a perceived interest even if it is not occurring.

Perceived conflicts of interest may be either pecuniary (financial) or non-pecuniary.

Potential conflict of interest

A potential conflict of interest occurs when a councillor is in a position where they may be influenced in the future by their personal interests when fulfilling their duties. Importantly, under a potential conflict of interest, there is no intimation of a current conflict of interest but rather, a recognition of one that may occur in the future.

Potential conflicts of interest may be either pecuniary (financial) or non-pecuniary.

Examples

- Councillor A is a member of the committee of a local not for profit sports club that is applying to the council for a grant. The Councillor's status as a committee member gives rise to an actual (non-pecuniary) conflict of interest.
- Councillor B owns a business that is submitting a tender for a contract with the council. Councillor B has an actual (pecuniary) conflict of interest in the matter as they will gain an immediate and tangible financial benefit if their company is successful in being awarded the contract.
- Councillor C used to work for the business that is applying for the tender for the contract with council and maintains close personal friendships within the company. Councillor C has a perceived conflict of interest in the matter because an impartial, fair-minded person may consider that Councillor C's previous employment and friendships could influence their decision-making and result in them acting in a manner that is contrary to their public duty.
- Councillor D has an intimate relationship with the owner of a local construction company. The Councillor's private interests are currently not relevant to their official duties, but they could be in the future if their spouse submits a tender for works. This is a potential conflict.
- Councillor E has a property that will be served by the tendered contract. Because this benefit is held in common with a substantial proportion of residents and does not exceed the interest held by the other residents, Councillor E does not have a conflict of interest.

Exemptions

As illustrated by the Councillor E scenario, some situations should not give rise to a conflict of interest. These will be established in legislation to give effect to this framework proposal.

Based on exemptions currently in force in Victoria, below are examples of the types of exemptions that could apply for this framework:

- the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the councillor in relation to the matter;
- the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors;
- the councillor does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
- the interest only arises because the councillor is the representative of the council on a not-for-profit organisation that has an interest in the matter and the councillor receives no personal advantage from the not-for-profit organisation;
- the interest only arises because a family member of the councillor is a member but not a committee/board member of a not-for-profit organisation;
- the interest only arises because the councillor is a member, but not a committee/board member, of a not-for-profit organisation – even where that organisation has expressed an opinion or advocated for an outcome in regard to the matter;
- the interest arises in relation to a decision by a councillor on a matter or in a circumstance that is prescribed to be exempt.

Exemptions do not discharge an obligation to disclose an interest required under a Personal Interest Return, and appropriate actions and strategies should be proactively developed, as discussed later in this document.

Disclosure and management of conflicts of interest

Disclosure

Actual, perceived and potential conflicts of interest must be disclosed whenever a councillor is called on to perform a public duty that could affect their personal interests.

Under this framework proposal, councillors will be required to disclose both the fact that they have an interest in a matter, and the nature of the interest, before a council meeting, workshop, agenda briefing or other forum where the matter would be discussed. Depending on the nature of a councillor's interest, they may be prohibited from attending or participating in forums while the matter is discussed, as well as receiving information on the matter in which they have disclosed an interest.

Councils will appoint a Principal Officer (General Manager or their delegate), to ensure that councillors have a clear point of contact to discuss and disclose conflicts with. This will assist in clearer direction to councillors on how to manage a conflict and also allow for council to record and manage conflicts.

A councillor must not take actions that are contrary to a previous declaration, effectively giving rise to a conflict of interest after the fact. For example: if a councillor has a business that could compete for a tender that the council has to approve, the councillor cannot say that they do not have a conflict of interest on the basis that their business will not apply for the tender, and then later, after they have received information and participated in the decision to release the tender, disclose a conflict of interest and compete for the tender.

Management

Actual conflicts of interest

After disclosing an actual conflict of interest, councillors must exclude themselves from attending meetings, workshops, agenda briefings or other forums while the matter is being discussed. Councillors with an actual conflict of interest shall have restricted or no access to deliberative material and information on those matters. Changes to legislation will be considered to automatically classify such material and information confidential in respect of an actual conflict of interest.

Perceived and potential conflicts of interest

After disclosing a perceived or potential conflict of interest, councillors must exercise their own reasonable judgment as to whether or not to participate. In certain circumstances, it may be appropriate for the Council to overturn a councillor's decision to participate. In a workshop setting, agenda briefing or other forum, the Mayor would be empowered to exercise an interim decision to overturn a councillor's decision to participate. The matter will then be brought to the next council meeting for a decision.

The management of perceived and potential conflicts of interest needs to be flexible to reflect the variety and broad scale of conflicts that could be included in this category. Changes to legislation will be considered to empower the Minister to introduce guidance around how assessments and judgements are made and the types of management options that are available if a perceived or potential conflict of interest is disclosed.

Personal Interest Returns

Tasmania is the only Australian jurisdiction that does not require councillors to lodge a Personal Interests Return (PIR) that discloses and records interests held by councillors in property, corporations and business partnerships, membership of organisations, as well as sources of income. In Victoria, a PIR is described as "a record of the private interests of a person in public office that assists in improving probity. It helps to ensure transparency and reduce conflicts of interest."

This proposed framework addresses this by introducing arrangements for submitting and managing PIRs.

Councillors will be required to submit an initial PIR to the General Manager or a delegated officer shortly after being elected to council.

Councillors will also be required to submit an annual PIR by a fixed date to the General Manager or a delegated officer throughout their term.

Throughout the year, councillors will be required to disclose new or emerging personal interests by updating their annual PIR.

The information that a councillor must disclose relating to the nature of different types of interests will be prescribed in legislation developed to give effect to this framework.

A councillor may be reported to the Director of Local Government if the councillor:

- knowingly fails to provide a PIR within the allotted time frame;
- knowingly fails to notify of any alteration of those interests within 28 days of the change occurring, or
- knowingly provides false or misleading information.

Examples of the types of interest that must be disclosed in the PIR, based on the Registration of Members' Interests applied to Members of the Federal House of Representatives, are included in Appendix A.

Proactive Management Plan

After completing, or updating their PIR, councillors will be required to develop a Proactive Management Plan including pre-arranged actions and strategies to manage foreseeable conflicts.

These actions and strategies should be developed collaboratively with input and advice from the council's mayor and the Principal Officer (General Manager or their delegate). If the mayor has an interest that must be proactively managed, the General Manager should assume the mayor's role for this purpose.

If a councillor does not voluntarily propose pre-arranged actions and strategies, or the mayor considers that the proposed actions and strategies are unlikely to effectively prevent foreseeable conflicts in the council, the mayor will be able to request the councillor develop appropriate pre-arranged actions and strategies that, in the mayor's reasonable opinion, will effectively manage a conflict of interest in foreseeable scenarios.

Proactive Management Plans must be developed within 28 days from the submission of a PIR.

Publication of Personal Interest Return and Proactive Management Plan

In the interests of accountability and transparency, this framework proposes that PIRs and Proactive Management Plans (or summaries providing agreed details) should be publicly available. This would be consistent with current arrangements in most other Australian jurisdictions.

In developing legislation to give effect to this framework, provisions will be included to exempt appropriate details from publication. For example, in Victoria, information exempt from publication includes:

- the monetary value or amount of any income, shares, other beneficial interests and debt;
- the street address and number of any land owned by the specified person, or in which the specified person has a beneficial interest, if the land is the principal place of residence of any person;
- information which, if released, would be reasonably likely to place the personal safety of any person at risk;
- private commercial information.

Complaints, penalties and deterrents

Initially, a complaint should be lodged with the General Manger of the council. After assessing the complaint to ensure it addresses a breach of the Act or Regulations, and that it is in the correct format, the General Manager should refer the complaint to the Director of Local Government.

Penalties or sanctions will be imposed for:

- failing to declare an interest;
- failing to declare an interest with an intent to dishonestly obtain a benefit;
- intentionally or recklessly lodging a personal interests return that contains false or incomplete information;
- failing to update a personal interests return in the required time;
- failing to develop and agree to pre-arranged actions and strategies to proactively manage foreseeable conflicts of interest;
- acting inconsistently with a previous declaration or giving rise to a conflict of interest after the fact.
- attending a meeting, workshop, agenda briefing or other forum where a matter relating to a known conflict of interest would be discussed without disclosing a conflict of interest.

Penalties under this framework may include fines, dismissal from office, and prison terms. These will be set through the development of legislation.

Penalties should be proportionate to legislation and penalties in other States. Tasmania currently has penalties that are significantly lower than elsewhere.

Impact of undeclared conflict of interest on a council decision

Under this framework, a councillor's participation in a council decision while having an undeclared conflict of interest would not automatically invalidate the council's decision. However, if the conflicted councillor's vote or conduct appears to be material to the outcome of the council's decision, it is proposed that this information may be used as grounds to appeal the decision where such an avenue exists.

This process would be an administrative appeal.

Further support and guidance

To support the implementation of this framework, the Office of Local Government will develop support materials including:

- a Guide to the management of actual, perceived and potential conflicts of interests, including case studies;
- a Personal Interest Returns template;
- a Proactive Management Plan template;
- information on implications for the Code of Conduct framework; and
- a module to be included in the Local Government Learning and Development Framework.

Definitions

The following definitions are derived from contemporary managing interests frameworks across Australia. They will be refined as a result of this submissions received in response to this consultation draft, and through the development of legislation to give effect to the draft framework.

actual conflict of interest: A councillor has an actual conflict of interest in a matter if, in respect of a matter a councillor would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise, or the loss may be incurred, directly or indirectly or in a pecuniary or non-pecuniary form.

annual personal interests return means a return lodged annually by a councillor, after the initial personal interests return, while they continue to be a councillor.

close associate means:

- a family member of the councillor;
- a body corporate of which the councillor or their spouse or domestic partner is a director or a member of the governing body;
- an employer of the councillor, unless the employer is a public body;
- a business partner of the councillor;
- a person for whom the councillor is a consultant, contractor or agent;
- a beneficiary under a trust or an object of a discretionary trust of which the councillor is a trustee;
- a person from whom the councillor has received a disclosable gift.

family member means:

- a spouse or domestic partner of the councillor; or
- a parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child of the councillor or of their spouse or domestic partner; or
- any other relative that regularly resides with the councillor.

initial personal interests return means the first return lodged by a councillor.

matter means a matter with which a council will require a power to be exercised, a duty or function to be performed, or a decision to be made, by the Council.

perceived conflict of interest: A perceived conflict of interest is when a councillor may appear – to a reasonable person familiar with the facts of the situation – to be influenced in a manner that is contrary to their public duty to impartially perform the role of a councillor. It is still a perceived interest even if it may not be occurring. A perceived conflict of interest may be either pecuniary or non-pecuniary.

personal interest means any direct or indirect interest of a councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.

potential conflict of interest: A potential conflict of interest occurs when a councillor is in a position where they may be influenced in the future by their personal interests when fulfilling their duties.

public duty means the responsibilities and obligations that a councillor has to members of the public in their role as a councillor.

Appendix A – Information included in personal interest returns

The detail that must be provided by a councillor in a personal interest return varies between jurisdictions that require returns to be submitted.

Below is an example of the type of interests, and level of detail about those interests, that Federal Members of the House of Representatives are required to disclose and declare. This information is published online as soon as possible after the commencement of each Parliament and is updated as required to include any alteration of their interests by a Member.

Federal Registration of Members' interests – Requirements of the House of Representatives

Within 28 days of making and subscribing an oath or affirmation as a Member of the House of Representatives each Member shall provide a statement of:

(a) the Member's registrable interests; and

(b) the registrable interests of which the Member is aware (i) of the Member's spouse/partner and (ii) of any children who are wholly or mainly dependent on the Member for support.

The statement of a Member's registrable interests shall include the Member's registrable interests as well as those of their spouse/partner and any children who are dependent on the Member.

Declarations/disclosures shall cover the following matters:

(a) shareholdings in public and private companies (including holding companies) indicating the name of the company or companies;

(b) family and business trusts and nominee companies—

(i) in which a beneficial interest is held, indicating the name of the trust, the nature of its operation and beneficial interest, and

(ii) in which the Member, the Member's spouse/partner, or a child who is wholly or mainly dependent on the Member for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Member, the Member's spouse/partner or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust;

(c) real estate, including the location (suburb or area only) and the purpose for which it is owned;

(d) registered directorships of companies;

(e) partnerships indicating the nature of the interests and the activities of the partnership;

(f) liabilities indicating the nature of the liability and the creditor concerned;

(g) the nature of any bonds, debentures and like investments;

(h) saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned;

(i) the nature of any other assets (excluding household and personal effects) each valued at over $7,500;

(j) the nature of any other substantial sources of income;

(k) gifts valued at more than $750 received from official sources, or at more than $300 where received from other than official sources provided that a gift received by a Member, the Member's spouse/partner or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist;

(l) any sponsored travel or hospitality received where the value of the sponsored travel or hospitality exceeds $300;

(m) membership of any organisation where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise, and

(n) any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.