

# **Moorabool and Central Highlands Power Association (MCHPA)**

## **Trading as Regional Victoria Power Alliance (RVPA)**

### **Annual General Meeting Reports**

**REPORTING PERIOD JULY 1<sup>st</sup> 2022 – JUNE 30<sup>th</sup> 2023**

(Note: several additional undertakings from July 1<sup>st</sup> 2023 through – mid-November 2023 are also referenced within the report, a comprehensive report of undertaking for this period will be provided within the next Chair's Report)

### **November 2023**

#### **Chairs Annual Report**

I have the privilege of delivering the Chairs Annual Report.

As a community led group, incorporated in July 2020, to bring together affected communities, organizations and individuals who demand the project to build transmission and related infrastructure of high voltage electricity between Melbourne and Western Victoria is undertaken in a significantly less impactful manner. We advocate on behalf of our communities, rural businesses, individuals and our environment for these projects to be undertaken in way that delivers minimal impact and low to no risk.

The MCHPA has continued to represent members across the 190km of the Western Renewables Link (WRL) project and in May 2023 we joined with communities affected by the 200+ km of the proposed VNI West transmission line interconnector between Victorian and New South Wales. At the same time, and to represent that enlarged alliance, MCHPA registered, with ASIC, the trading name of 'Regional Victoria Power Alliance'. We have seconded 3 representatives from the VNI West community to our committee, Barry Batters, Brett Hosking and Gerald Feeny. We welcome them to the committee. We align with the VNI West communities and offer support, advice and our resources to educate and assist in their understanding of the project. As the months have gone on there has been a great deal of sharing of information and experiences by community members along both project corridors.

We have also launched Stop Labor's Towers campaign to target the owner and decision maker, the Victorian Government. We continue to hold AusNet and AEMO to account.

The Alliance ensures each region can connect and work with their local communities and fight as one under the Alliance umbrella. The Alliance are increasing pressure on Government, AEMO, and AusNet to ensure high voltage power transmission lines and associated infrastructure are undertaken with serious considerations given to address the impacts and risk.

The year has been dominated by the state governments two "VNI West and WRL Ministerial Orders" and how this has impacted our first legal challenge. Our legal team has had to pivot from the AEMO challenge made in December 2022 to challenge Minister D'Ambrosio's orders in February and May

2023. We had our day in court in September 2023. We have also spent a substantial part of the financial year fundraising, this has been challenging but incredibly successful and demonstrates our amazing community support. It should be noted our fundraisings efforts accelerated significantly from July 2023 to primarily support our legal undertakings.

### **Campaign**

Our comprehensive public facing communications campaign has continued. This campaign is directed at our communities, keeping them informed and aware of proposed project undertakings as well as the wider environment as it related to transmission projects.

Newsletters. Our mailing list is growing now into the many thousands and our Newsletter remains an important platform. This is augmented by our strong Social Media presence and activity

**Hold the Line (and don't sign).** Our community directed communications has centred round not allowing access and asking landowners not to sign. This project remains as impactful as ever and until such time as the government and the proponent revised their proposal we will not allow this project to take place.

We have continued to meet with federal and state politicians and advisors to further our cause, keep them updated and hold them to account on this project. We have also met with local councils regularly and updated them on the project as well as the CEO from AEMO and AusNet, on several occasions.

The campaign team has also successfully coordinated the July Ballarat Tractor Rally. With over 100 tractors and vehicles attending and 500 supporters, and delivered over 5,000 compliant letters to AusNet and Minister D'Ambrosio. As well as the Daylesford rally which highlighted the issues within the Daylesford region.

The campaign group joined with our friends from the VNI West region to organise the successful Stop the Towers Rally at Parliament House. The continued efforts to highlight the projects WRL and VNI West and our new campaign message of Stop Labor's Towers.

### **Legal**

The Legal Working Group has continued to focus on a range of critical matters between July 2022 and June 2023 with many activities ongoing into the second half of 2023:

1. Legal challenges to AEMO and the Victorian Government in the Supreme Court of Victoria undertaken by members of the working group working closely with the MCHPA's expert legal team of solicitors and barristers
  - (a) Legal challenge to AEMO
    - ❖ the working group's earlier work through 2020/21/22 formed the foundation of legal work in the second half of 2022 to seek to compel AEMO to stop the WRL and reapply the RIT-T
    - ❖ Jul 22 – Aug 22: letter sent to AEMO detailing the many reasons why, under the National Electricity Rules, AEMO should take WRL back to the drawing board by reapplying the RIT-T which had authorised the project back in 2019.
    - ❖ Nov 22 - Dec 22: Following AEMO's written decision in November not to reapply the RIT-T a legal challenge was developed and lodged with the Supreme Court of Victoria for judicial review of AEMO's decision.

- ❖ Feb 23 – May 2023: The first Supreme Court Directions Hearing was deferred a number of times and then the case was put on hold due to the imposition of the Victorian Government’s “VNI West and WRL Ministerial Order” published in February 2023. The ability for the MCHPA to continue this challenge rests on the outcome of the challenge detailed below.

(b) Legal Challenge to the Victorian Government

- ❖ Feb 23 – April 23: a legal challenge was developed and lodged with the Supreme Court of Victoria for judicial review of the Government’s February 2023 Ministerial Order.
- ❖ May 23 – Jul 23: additional information was provided to the Court supporting the MCHPA’s standing to make the legal challenge and the challenge was amended to include a second “VNI West and WRL Ministerial Order” published by the Government in May 2023
- ❖ Post June 23: the case for the challenge against the two Orders was developed by the legal team and the Hearing was held from 7-8<sup>th</sup> and 11-12<sup>th</sup> September. The judge has reserved his decision, and it has not yet been delivered.

2. Engagement on the VNI West project with AEMO, and with communities and landowners impacted by VNI West.

Following the publication of the VNI West Project Assessment Draft Report (VNI West PADR) in July 2022, a range of working group activities focussed on the VNI West project, which was always proposed to link into WRL at a terminal station. In late 2022 and through 2023 AEMO began investigating new route options for VNI West that could be seen to have significant impacts on the WRL. These investigations were described in a Consultation Report published in February 2023, just after the first Order was published.

Work undertaken:

- ❖ Sept 2022: Submission to the VNI West PADR
- ❖ Nov 2022 – ongoing: Engagement with a VNI West focussed external working group of experienced industry experts critical of the VNI West RIT-T
- ❖ Dec 2022 – ongoing: Engagement with AEMO (along with the VNI West external working group) on engagement and consultation concerns ahead of and during the consultation process on the VNI West Consultation Report
- ❖ Dec 2022 – ongoing: community support including development of an information pdf overviewing the impact of the new VNI West options for both WRL and VNI West corridors
- ❖ March 2022 – ongoing: Numerous meetings with VNI West impacted communities and landowners to develop a support network for the development and dissemination of information and to explain the legal challenge.
- ❖ May 2023: Registration with ASIC of the Regional Victoria Power Alliance to inclusively represent communities and landowners along both project corridors
- ❖ June 2023: a Dispute notice for the VNI West Project Assessment Conclusions Report (VNI West PACR) and a separate Compliance issues letter was submitted to the Australian Energy Regulator (AER) following the publication of the VNI West PACR in May 2023.

- ❖ Post June 2023 – Nov 2023: Following the AER’s decision in October not to require AMEO/Transgrid to reapply the VNI West RIT-T a legal challenge was developed and lodged with the Federal Court in November 2023 for administrative review of AEMO’s decision. The AER has not yet given a response to the Compliance issues letter.
3. We have continued to engage with Councils, responsible authorities and other key parties about access to land, easement agreements and other issues raised by AusNet’s EES Process and supported the community with information.

Work undertaken:

- ❖ Further work with legal counsel and detailed legal advice sought and provided.
- ❖ Significant MCHPA submission and constructive engagement with the Essential Services Commission (ESC) re: the development of a Land Access Code of Practice following on from the preliminary Statement of Expectations for access under Sec.93 of the *Electricity Industry Act 2000* (Vic)
- ❖ Ongoing work related to AusNet’s EES consultation and investigations processes including membership on the AusNet Community Consultation Group and the Hepburn Shire Working Group and continued co-ordination and liaison with all Councils,
- ❖ Continued liaison with the Australian Energy Infrastructure Commissioner, politicians, the CFA.
- ❖ Engagement where possible with AEMO and AusNet CEOs at meetings in August 2022 and March 2023.

### **Fundraising, Finance, Audit and Risk**

The primary purpose of the Fundraising, Finance, Audit and Risk Working Group is to assist the Steering Committee to optimise the fundraising, financial performance, and risk management of the Alliance.

The Steering Committee has assumed all responsible under this area to ensure that all decisions it makes or recommends align with the overall strategic goals and objectives to provide independent assurance and discharging its responsibilities with respect to all aspects of fundraising, financial reporting, risk control and audit functions. Significant preparations for fundraising were made by June 2023, to support fundraising campaign over Jul – Sep 2023.

### **Governance**

The Steering Committee has assumed all responsible under this area to ensure that all decisions it makes or recommends align with the overall strategic goals and objectives to provide independent assurance and discharging its responsibilities with respect to all aspects of fundraising, financial reporting, risk control and audit functions. Good Governance All Steering Committee and working group members actively participated and played a significant role in the annual operation of the Association’s activities throughout 2022-23. SC Meetings were held once each fortnight and on an as needed basis as required. The Association has established a terms of reference and charters for each working group and the steering committee along with a code of conduct and a series of policies to guide the work of the Association.

## **Financials**

The financial performance of the Association continues to be stable and managed on a sound financial basis. For the financial year of July 1st, 2022, through June 30th 2023 the Association experienced income of \$209,836 and expenditure of \$289,288. All expenditures are approved in line with the adopted Association's delegation policy and all expenditures more than \$500 are brought before the MCHPA Steering Committee for approval.

All expenditures are in line with the MCHPA's principal activities. The principal activities of the entity during the financial year included expenditures on professional services for legal and technical as well as campaign support.

I want to acknowledge the many community members and business that have generously donated to our campaign, your contributions have made it possible for us to further the Alliances principal activities.

It is important to note that in addition to the donations recorded here they have been many other generous contributions to the cause, made independent of the Alliance, that have secured services and or in-kind services that have furthered the Alliances activities and purpose. These transactions are not recorded here as they have taken place between individuals and the respective service.

## **In Closing**

In closing, I would like to thank my fellow SC members in particular Gav, Vicki, Steve and Arch for their dedication in the last financial year, this has been a difficult fight but the time and effort that has gone towards getting us to court needs to be acknowledged and sincerely thanked. It has often been a challenging time but we have worked as a team to ensure that the legal case could go ahead. It has been such a long fight but the committee has successfully forged ahead and we look forward to continuing our fight with our new members.

I would also like to acknowledge also the members of the working groups who have assisted us in the last year, especially the legal team and the campaign teams who have helped us enormously and donating their time to our cause.

Also a heartfelt thanks to the community. Your financial support, encouragement and desire to win have inspired the committee to continue in our pursuit of justice. I believe that we are stronger together and if we remain united we will win. We look forward to hearing Justice McDonald's decision soon.

**Emma Muir, Chair**