



## Minutes – Delburn Wind Farm Community and Stakeholder Consultative Committee Meeting 2

5-7pm, 26/04/2021, Baromi Centre, Mirboo North

Attendees:

- Anthony Boxshall (Chair)
- Ruth Harper (Secretariat)
- Graeme Wilson (Delburn)
- Heather Butler (Mirboo North)
- Tony Wolfe (Morwell)
- Trevor Hoare (SSF)
- Ivor Auty (Narracan)
- Lorraine Bull (GCCN)
- Peter Mooney (GTLC)
- Andy Newell (HVP)
- Elizabeth Radcliffe (OSMI)

Apologies: Charlie Solomon (GLaWAC), Wendy Farmer (Voices of the Valley), Chris Milne (Boolarra), Rhain Bateman (WGCMA), Mike Timpano (LVA), Tomas Mabin (Driffield), Christine Legg (South Gippsland Shire Council).

The following organisations have been invited to sit on the committee and are still considering their participation: Latrobe City Council, Boolarra Community Development Group, Yinnar and District Community Group, Mirboo Country Development Inc, Landcare

### Minutes

#### Agenda Item 1 Welcomes, aims for tonight

The Chair opened the meeting by acknowledging the traditional owners of the land, the GunaiKurnai and paid his respects to their elders past and present.

The Chair welcomed all participants.

The Chair revisited his expectations in relation to interactions within the committee requesting:

- Constructive frankness,
- Respect,
- Confidence and humility, and
- Representative perspective

The Chair reviewed the purpose of the meeting – to finalise the Terms of Reference, decide on priorities for discussion in the future and discuss the statutory planning process.

#### Agenda item 2 Introduction, Observers and Conflicts of Interest

The Chair welcomed new attendees Trevor and Ivor and invited everyone to introduce themselves and their affiliation again briefly for their benefit.

The Chair introduced the idea of Boolarra Police representative Matt Ryan and EPA officer Stacey Clark attending as observers and whether it is appropriate. The question was asked why Matt was interested, and the response was that he has a general interest in keeping up to date with the project



for both personal reasons (as a community member) and also professionally from a community safety perspective.

The future regulatory role that the EPA would have if the project is approved was discussed.

The Chair confirmed that no one has any issues with either of them attending.

No conflicts of interest were declared.

### **Agenda item 3 Review of Actions arising from last meeting**

It was noted that feedback was provided on the TOR, but no changes were recommended by members of the Committee.

There was a discussion about conversations that committee members have had within the community and Committee members indicated that there was not much feedback at this point. A comment was made that people appear to be becoming resigned to the prospect of the project being built.

A question was raised regarding OSMI's role in the operation of the project into the future.

An explanation of the OSMI/Cubico relationship covered in the previous meeting was referenced and it was suggested that more information needs to be made available to the public regarding this relationship. The potential benefits of another article in the papers on this subject was discussed, which could be combined with a further call out for more members on the committee.

**ACTION:** OSMI to review and update information on project ownership across a range of channels including giving consideration to hosting a webinar.

It was noted that committee members opted in via self-nomination, which has been raised as a criticism by some community members. It was pointed out that community representatives are still being sought from a number of under-represented localities, and additional community members are welcome to attend all of the meetings as observers.

It was identified that an opportunity exists to provide greater education to the community on the details of how the electricity industry and the grid works.

### **Agenda item 4 Terms of Reference - What was updated?**

Principles & Code of conduct

The Chair revisited the earlier conversation regarding the role of the committee – purpose and adherence to principles and code of conduct, with reference to how updates to the document had been made to reflect this and went through the main changes in the document. The main changes included:

- Principles updated as discussed and arranged dot points under each principle.
- Termination of membership –the focus has been changed to make it clearer that members may leave at any time, but there are certain circumstances under which their position may be terminated. It was noted that terminating positions on the basis of missing two consecutive meetings is too harsh. This will be reworded to reflect that if a committee



member doesn't attend without correspondence for a significant period of time, they will be contacted to confirm whether they would like to continue their membership or not, prior to any action being taken. *Note: following the meeting, the Chair recommended that this clause be removed completely as unnecessary.*

- Code of Conduct – reworded so that it does not come across that committee members are acting for the benefit of the project proponent, and rather the community and/or stakeholder group or sector that they represent.
- Decision making – clarified to articulate that on the rare occasions that decision are made that they will be consensus based.
- Updated conflict of interest section to reflect the conversation regarding various roles that members play in the community and which role they bring to the committee – ie, wearing one 'hat' only and being clear about which 'hat' they are wearing at any one time.

Action: Committee members to review updated document and raise any concerns by Monday 10<sup>th</sup> May (noting this is a working document that can be amended as required over time). OSMI to publish Terms of Reference online following this final review.

#### **Agenda item 5 Community Concerns**

It was conveyed that OSMI needs to demonstrate community concerns are being listened to and build confidence that these concerns are being addressed. The Chair invited the committee members to write down ideas for later collation on how OSMI can address community concerns and build confidence.

The list of community concerns gathered based on feedback from the committee so far was discussed and the committee invited to write down any community concerns they are aware of that were missing from list.

Through group discussion, all topics were then grouped into similar themes and committee members then invited to nominate their top five priority topics for discussion to allow the committees forward agenda to be developed. Committee members representing OSMI and HVP did not vote.

The discussion topics identified were:

- Health
- Fire
- Approvals process
- Noise
- Building community confidence
- Project benefits
- Wildlife
- Community trust in the process
- Lighting
- Telecommunications
- Other technical details

The results of this discussion are presented in Attachment A.

The top topics for discussion in future CSCC meetings were highlighted as following:

- Project benefits (9 total Votes)



- Health (5 total Votes)
- Building community confidence/understanding (5 Votes)
- Community trust in the process (5 Votes)
- Fire (4 Votes)
- Approvals process (3 Votes)
- Other technical details (2 Votes)
- Wildlife (2 Votes)
- Telecommunications (1 Vote)

### **Agenda item 6 Statutory Planning Process presentation**

Liz Radcliffe (OSMI) provided a presentation on the statutory planning process. The presentation (Attachment B) covered details of the Delburn Wind Farm planning application, provided clarification that what some people have been referring to as a visitor 'centre' is actually a visitor area, comprising a viewing area with a car park and informative signage/interpretation material.

The presentation provided an explanation of the different government agencies involved in consideration of the application for planning approval and outlined the formal panel hearing process.

Questions were asked about the formal notification process, how names and addresses for the notification are obtained (which are provided by local government), and the reason these have not yet been accessed (being due to the Information Privacy Act). The committee was advised that DELWP will determine how far from the project OSMI will be required to formally notify landowners of the planning process, and in addition to that scope, OSMI will notify all residents who have provided their residential or email address to OSMI.

The committee was advised that the project has been 'called in' by the Minister and it is likely he will refer the project to a Planning Panel to provide him with a recommendation on the application. During a discussion regarding the panel membership and the expertise of panel members, it was noted that prospective Panel members are appointed by the Chief Panel Member, under delegation from the Minister for Planning.

Members of individual Panels are selected from a list of Panel members based on:

- the experience or expertise required by the subject of the matter to be considered by the Panel;
- the likely length of the Panel Hearing; and
- the availability of Panel members.

Members of a Panel are required to declare that they have no conflict of interest when:

- approached to be appointed to a Panel; and
- after the Directions Hearing.

Further information on the role and functioning of Panels can be found at <https://www.planning.vic.gov.au/panels-and-committees/panels-and-committees>



It was noted that given Delburn Wind Farm will likely be the first forest wind farm to seek planning approval in Victoria, there is a lot of interest in 'getting it right'.

It was also noted that there is no right of appeal to the Minister's decision through VCAT and that the Minister's is not obliged to act on the recommendations of the panel.

The issue of timing of the public notification period and panel hearing was raised again, and it was noted that timing is dependent upon DELWP finalising their review of the planning permit application documentation.

Some people noted that it was confusing having the Delburn Wind Farm information on the OSMI website and queried whether it might be better to have a DWF website, suggesting that the current set up gives the impression that the CSCC is working for OSMI. The Chair showed the committee how to access the Delburn Wind Farm web information and clarified that this issue has sought to be clarified through the reviewed ToR, but further feedback is welcome.

A question was asked about what happens to the native veg that gets cleared. It was noted that large tress can be left on the ground as habitat, and that much of the material can be mulched and used to stabilise earthworks. In some instances, it may also unavoidable to burn the material.

### **Wrap Up**

The question was posed are the committee members happy with monthly meetings, and it was agreed this is appropriate at present, unless there is a need to hold an extraordinary meeting based on the timing of the public notification period.

Last Monday of the month is suitable. Next two meetings to be – 31 May and 28 June.

A preference was expressed to continue meeting in person for May meeting. June or July meetings may transition to an online environment based on the views of the CSCC in May.

Following a discussion on meeting location it was agreed OSMI would explore the possibility of using the Mirboo North and Community Foundation offices in Mirboo North.

### **Next meeting**

Next meeting to be held on Monday 31 May 5 – 7pm, Mirboo North (venue TBC).

### **Actions arising:**

- OSMI to update brochure/website with a more detail regarding the OSMI/Cubico relationship and what this means to the community. OSMI to consider other media release in the papers also detailing the Cubico/OSMI relationship and requesting more members for the Committee, update FAQs and consider a webinar
- Committee members to review the updated Terms of Reference and the Code of Conduct and forward any further amendments to the chair via [csc@delburnwindfarm.com.au](mailto:csc@delburnwindfarm.com.au) by May 10<sup>th</sup>. Documents can be found on the OSMI web site <https://osmi.com.au/consultative-committee>) OSMI to publish the updated Terms of Reference online following this review.



### **Rolling Actions**

- All committee members to communicate widely about the CSCC seeking further members particularly from communities local to the planned wind farm, highlighting the desire for a diversity of opinions.
- Committee members to send ideas about topics you would like covered at future Committee meetings to [csc@delburnwindfarm.com.au](mailto:csc@delburnwindfarm.com.au). There is no limit on the number of items a committee member can nominate.
- All committee members to review the Managing Conflict of Interest information online site <https://osmi.com.au/consultative-committee> and advise the Chair of any potential, perceived or actual conflicts of interest that before the next meeting.



# Delburn Wind Farm Project

Community and Stakeholder Consultative Committee Meeting - April 2021



# Detailed Project Timeline



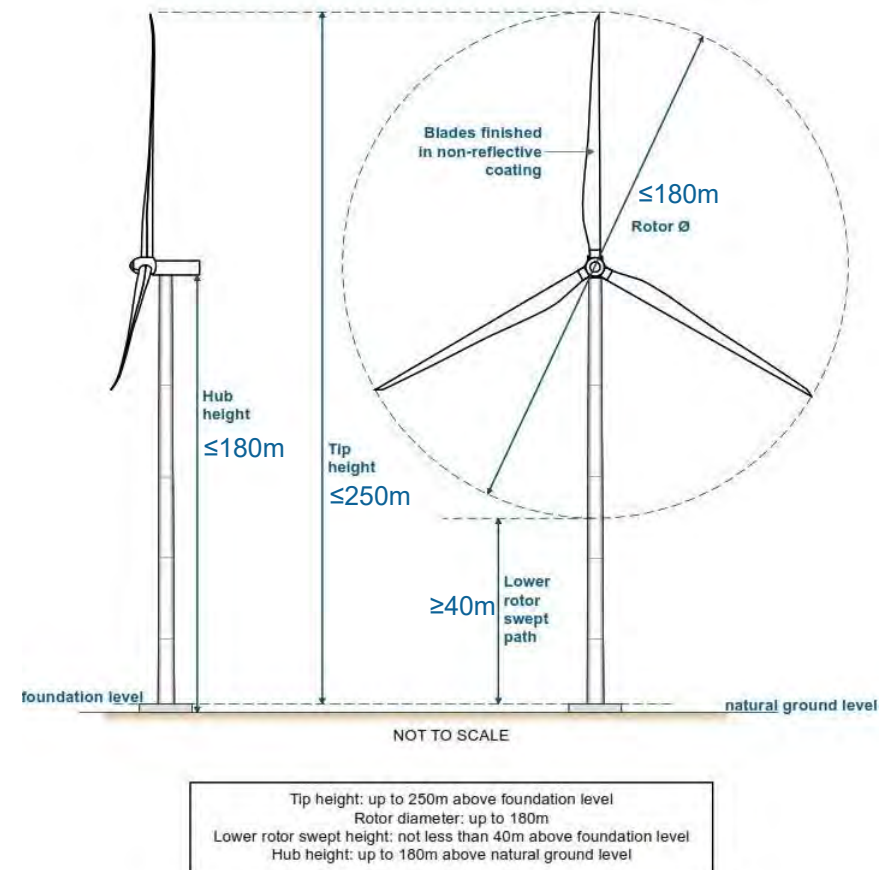
\* *Italics are activities that will proceed only if planning approval is granted*



# Design for planning applications - Dec 2020



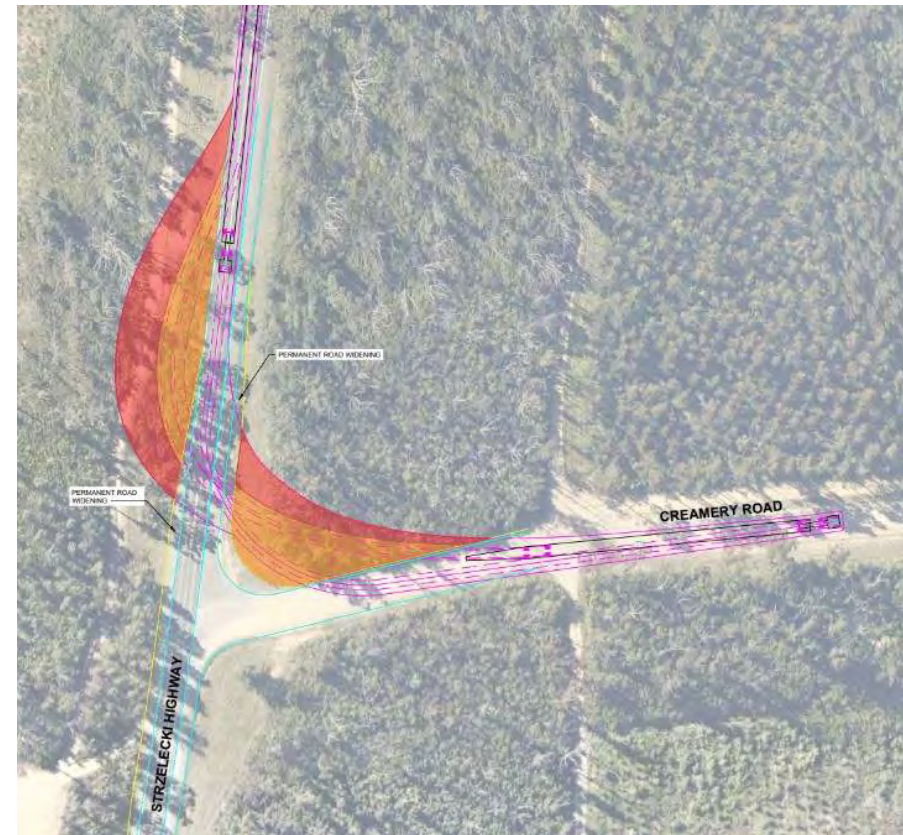
- Thirty-three (33) wind turbines
  - maximum height of 250 metres above foundation level (to the blade tip),
  - a maximum rotor diameter of 180 metres,
  - a lower tip sweep of not less than 40 metres above foundation level
- Three permanent anemometers (or wind monitoring masts) and one 'development' anemometer;
- An operations and maintenance building on the corner of Smiths Road and Strzelecki Highway;
- Approximately 41 kilometres of site access tracks
  - 30 kilometres of existing forestry access tracks to be upgraded and
  - 11 kilometres of new forestry tracks in the plantation;
- Approximately 120 kilometres of underground 33 kV electrical reticulation and fibre optic cabling connecting the wind turbines to the substation;
- 2 visitor information and viewing areas on Smiths Road;



# Design for planning applications - Dec 2020



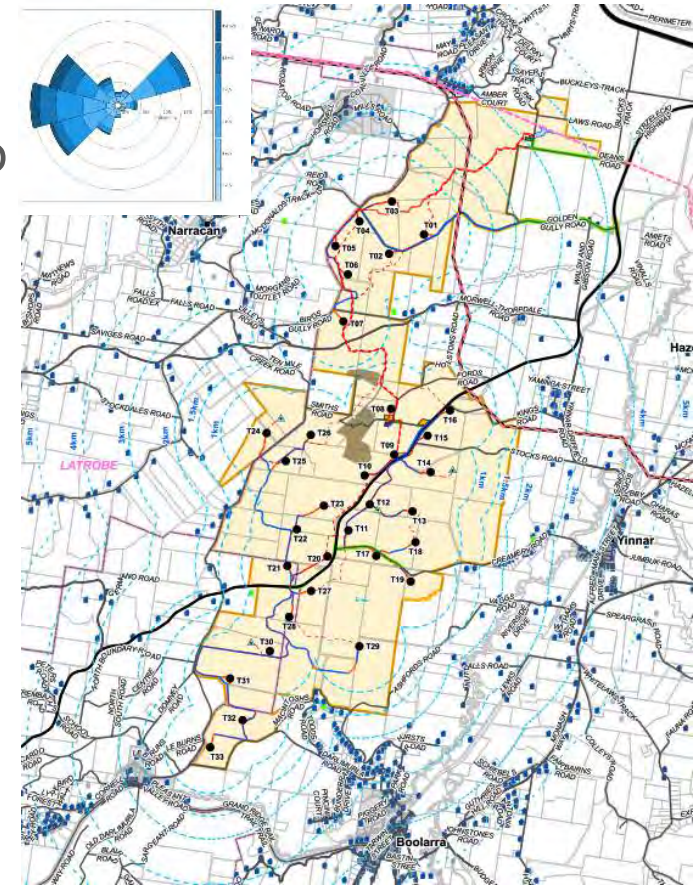
- Road upgrades to:
  - Creamery Road intersection on Strzelecki Highway
  - 4.5 kilometres of public local roads
  - minor hard standing at Golden Gully Rd, Smiths Rd intersections on the Strzelecki Highway;
- Business identification signage
- Battery Energy Storage System
- Terminal Station and connection to 220kV line
- 12.354 hectares of native vegetation impacted in total of which 5.669 is direct removal.



# Four planning applications



- The site is located across three Local Government Areas (Latrobe, Baw Baw and South Gippsland) requiring three separate planning permit applications to be lodged.
- A separate planning permit application has been prepared for the proposed terminal station which is within the Latrobe City LGA.
- The terminal station requires a separate application as it will be owned, operated and managed separately to the wind farm project.

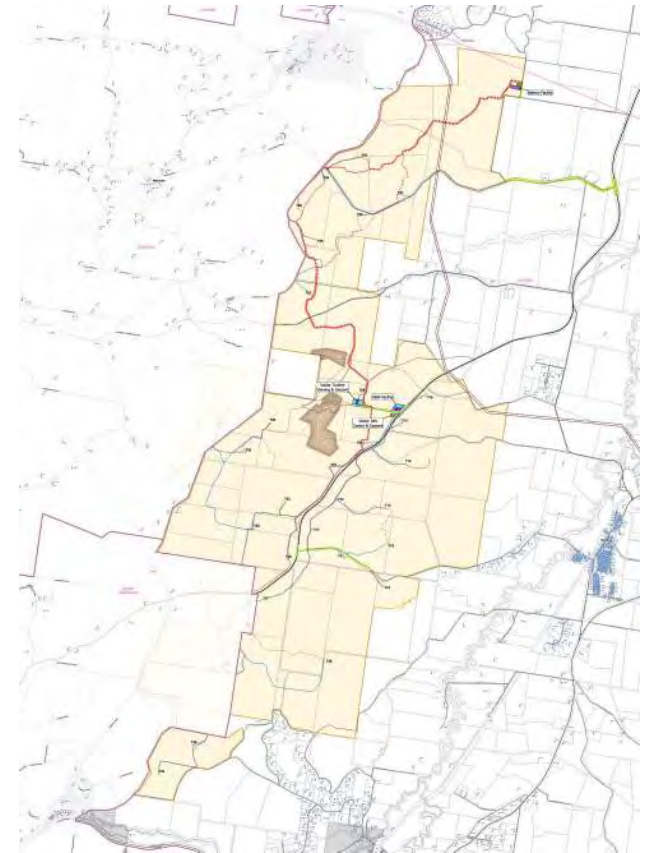




## Latrobe City

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- twenty-eight wind turbines;
- operations and maintenance facility;
- two visitor information and viewing areas,
- temporary construction compounds;
- temporary concrete batching plants;
- access track upgrades and new track construction;
- underground cabling between turbines;
- battery energy storage system facility near the terminal station;
- two anemometers of which one is intended to be permanent;
- one major and two minor intersection upgrades and local road upgrades
- business identification signage; and
- 10.591 hectares of native vegetation clearance.



# South Gippsland & Baw Baw



## South Gippsland

- four wind turbines
- access track upgrades and new track construction;
- underground cabling between turbines;
- one permanent anemometer and
- 1.670 hectares of native vegetation clearance.



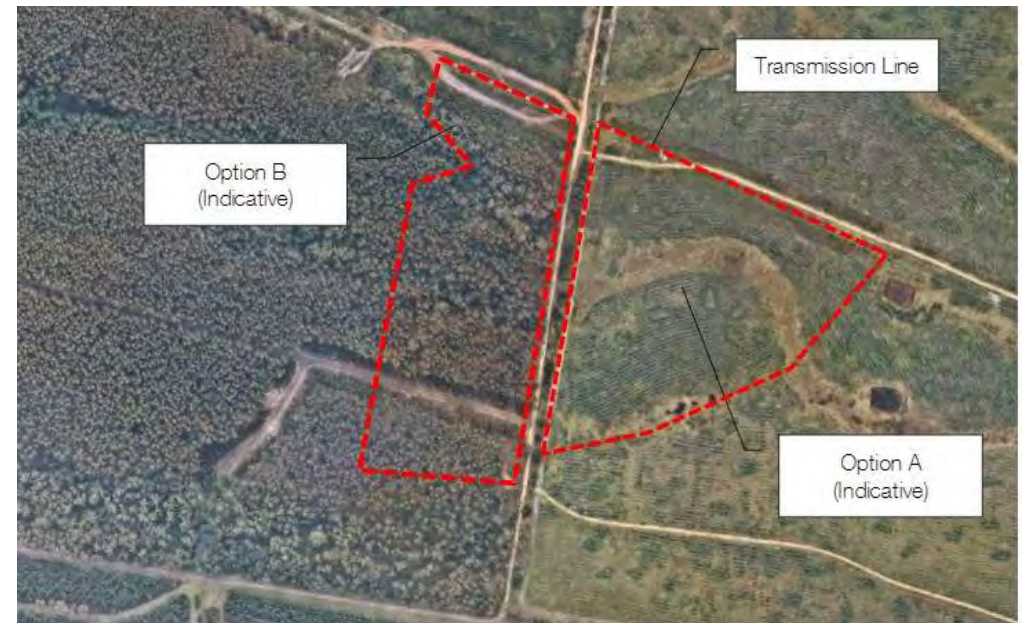
## Baw Baw

- one wind turbine
- access track upgrades and new track construction;
- underground cabling between turbines
- one permanent anemometer; and
- 0.083 of hectares native vegetation clearance.

# Terminal Station



- 220kV landing gantries;
- 220kV switch yard;
- 220/33kV power transformers;
- 33kV switch rooms;
- control building;
- amenities building;
- water treatment and fire services;
- security fencing;
- lighting;
- business identification signage and;
- 0.053 ha native vegetation clearance (Option A) or
- 1.657 ha native vegetation clearance (Option B)



- Option A East of Varys Track - Crown Land - preferred
- Option B West of Varys Track – HVP Freehold

# Steps in Approvals Process

Planning permit applications lodged (December 23 2020)

- *DELWP Planning Department Review (underway)*
- *Requests for further information/clarification (underway)*
- *Minister has 'called the application in' following requests from OSMI, some local councils and a number of community members*

Planning applications accepted for assessment and referred to referral authorities;

- *Local councils,*
- *VicRoads,*
- *CFA,*
- *EPA,*
- *GLaWAC,*
- *West Gippsland CMA,*
- *Dept Jobs Precincts and Regions,*
- *DELWP Gippsland,*
- *DELWP Environment*





## Steps in Approvals Process - cont'd

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Public notification (may be in parallel with referral process)

- *Letters posted to neighbours (at a distance from the project to be defined by DELWP)*
- *Notices on public notice boards*
- *Advertisements in local press*

Public comment period commences

- *Statutory minimum 14 days, but may be more - DELWP advised likely 28 days*

If no comments received the Minister may make a decision to reject or approve the applications, based on advice from the department.

Note: All application documents are available on the OSMI website [www.osmi.com.au/planning](http://www.osmi.com.au/planning)

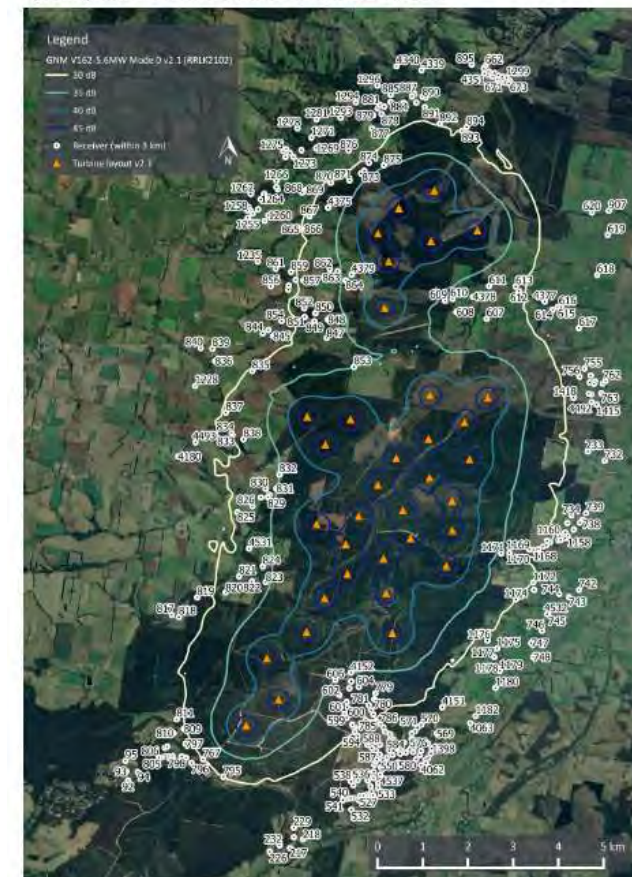


# Steps in Approvals Process – Planning Panel

- If any submissions are made, the Minister will request Planning Panels Victoria convene a panel to consider the submissions and make a recommendation on the application.
- The Panel Process is a formal legal proceeding and will include public hearings
- Any submissions made will be provided to OSMI to address in their evidence to the panel
- OSMI will call the experts who prepared the detailed technical studies to present their findings to the panel
- Members of the public may ‘request to be heard’ and present their evidence themselves or via relevant expert witnesses



Figure 7: Highest predicted noise level contours – Vestas V162-5.6MW Mode 0



## Steps in Approvals Process – Planning Panel

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- Panel must prepare a report for the Minister making a recommendation to either grant or reject the application
- If the recommendation is to grant a planning permit the report will also set out recommendations about conditions to be included within the permit
- The Minister is not obliged to accept the Panel's recommendation
- There is no right of appeal to VCAT if the permit application is rejected or granted
- The only avenue of appeal is through the Supreme Court, on the basis of a point of law. The Minister for Planning would be the defendant in the matter.







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# Questions



[www.osmi.com.au](http://www.osmi.com.au)

[contactus@osmi.com.au](mailto:contactus@osmi.com.au)

1800 OSMIAU

Topics of Community Concern	Priority (Votes)	Helpful links
<b>Health</b>	4	
The wind farm comissioner and the WHO have recommended that the newer larger turbines can cause health impacts to people within 2 km. What recourse is there is these eventuate in the future?	1	
Impacts on health and sleep (both percieved and real) - Flinders Unviersity Wind Farm Study has been frequently referecned. Even if WTS is completely psychosomatic (which some locals don't believe), the health impacts will be real. What can OSMI do to reduce and address harm here?		Some info under health and noise at <a href="https://osmi.com.au/frequently-asked-questions/">https://osmi.com.au/frequently-asked-questions/</a>
<b>Trust</b>	5	
The whole planning process for wind farms has spawned a complete industry of "expert consultants". It was clear that som eof the reprts tabled contain material 'cut and pasted' from previous applications. How does the community trust these outside experts who have rarely bothered to consult locals.		
How will OSMI ensure that community concerns are addressed? How will OSMI work towards building confidence that these concerns have been or will be addressed?		
Trust in OSMI/Cubico - I will not engage because I do not trust OSMI. There is a conspiracy to force this on the community.		
Use of consultants in planning process - due to OSMI selecting and paying third parties for reports, there is a perception that their work is done in a manner that will make a planning application successful and may not be fully truthful.		
That 'government' have already made decisions regardless of what locals want.		
<b>Lighting</b>		
Lighting of the towers - can OSMI guarantee that the towers will not need to be lit, and if they do ever need to have lighting can OSMI guarantee that radar activated lighting would be used?		This is addressed under 'construction and operation' at <a href="https://osmi.com.au/frequently-asked-questions/">https://osmi.com.au/frequently-asked-questions/</a> . The short answer is that the Aviation Risk Assessment has concluded that lighting won't be required

<b>Technical Details</b>	2	
New towers of a size that hadn't been used in land-based wind farms before.		
Technical details i.e, de-rating factors for average output		
Control of the site's fencing/access		
<b>Fire</b>	4	
Impact on fire-fighting response - aerial bombing, radio frequency interference (people are genuinely fearful, even worried sick, of what could happen in a bushfire).		Under fire in FAQs and also covered in the fire section <a href="https://osmi.com.au/frequently-asked-questions/">https://osmi.com.au/frequently-asked-questions/</a> <a href="https://osmi.com.au/delburn-wind-">https://osmi.com.au/delburn-wind-</a>
Fire safety of project from the point of view of HVP, local CFA chiefs as well as CFA headquarters. It would be good if the chair could organise a public debate about the project with three speakers from OSMI/HVP and three representing voices.		
Is the planned non-vegetation area around the turbines large enough - north winds, elliptical shape?		
Fire risk created by turbines (fires caused directly and indirectly by the towers - mechanical failure, lightning).		<a href="https://osmi.com.au/delburn-wind-farm/fire/">https://osmi.com.au/delburn-wind-farm/fire/</a>
<b>Noise</b>		
Noise from turbines will be heard much further than 1km, and that noise will be more annoying than other noises of the same level.		<a href="https://osmi.com.au/delburn-wind-farm/noise/">https://osmi.com.au/delburn-wind-farm/noise/</a>
<b>Assessment/approvals/planning (Process)</b>	3	
Visitor 'Centre' won't be built (guarantees that this will be an obligation for the project).		
What can be locked in that can't be revoked later? (ie, visitors centre being built - can new owners just say that's too expensive).		
Do objectors have appeal rights?		
Resolution of continued objections		
Any issues that locals have with the windfarm during construction or during operation will be difficult, expensive, lengthy or impossible to address (what will the complaints process be? Can it be described up front and made as simple as possible and not be purely what is just legally required?) - potential blame game between OSMI, HVP and different government bodies.		

<b>Building Understanding</b>	5	
Confusion amongst some of the community between Delburn Wind Farm and Marinus Link		
Why members of the local community are resistant to the project. Are there concerns that OSMI has not addressed?		
Understanding of specific concerns by community and opponents		
<b>Wildlife Related</b>	2	<a href="https://osmi.com.au/delburn-wind-farm/flora-fauna/">https://osmi.com.au/delburn-wind-farm/flora-fauna/</a>
Impacts on wildlife when windfarm is in operation - bats and eagles are some of the wildlife that are in the area. Technology is utilised at other windfarms to reduce harm to these creatures, why are these not being used for this proposal?		
Offset options and biolink possibilities around existing good conservation locations		
Impacts on wildlife during construction, specifically the areas being cleared		
<b>Telecommunications</b>	1	
Windfarms and disruptions to all forms of local telecommunications (radio, mobile reception, TV reception, etc)		<a href="https://osmi.com.au/delburn-wind-farm/electro-magnetic-interference/">https://osmi.com.au/delburn-wind-farm/electro-magnetic-interference/</a>
<b>Benefits</b>	5	Under community and local investment in <a href="https://osmi.com.au/frequently-asked-questions/">https://osmi.com.au/frequently-asked-questions/</a>
What is the estimate of the amount of construction jobs/ongoing jobs	2	
Decreased property value and area amenity negatively impacted		
Exaggerated local benefits during construction and operation (minimal/token use of local workers and local businesses).		
Will money solve problems - compensation, property values, grants, sponsorship (are we relying too much on money to fix issues/gain acceptance)		
Economic impact - the perception seems to be that windfarms close by devalue properties. Is this fact or perception? What has happened around other wind farms in both short and longer term		
Economic impact both short term and longer	1	
Is there any collaboration with training providers to skill up local workers	1	



DWF-CE-REP-002



## Community and Stakeholder Committee

### Terms of Reference

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Reviewed By		
Position	Incumbent	Review date

Approved By		
Position	Incumbent	Approval date

History			
Version	Nature of change	Author	Date

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## 1 Introduction

A Delburn Community & Stakeholder Consultative Committee (CSCC) is being formed to establish a consistent pathway for community feedback, information sharing and co-development of solutions. The CSCC seeks to facilitate the accurate and timely flow of information to the community in relation to the Delburn Wind Farm development, to help minimise construction impacts on the Wind Farm's neighbours and the Delburn community, and to assist with obtaining feedback and input to decisions about aspects of the project which impact on the local communities.

The CSCC will provide a forum for discussion between representatives of the Delburn Wind Farm project team, the local community, stakeholders and local councils.

These Terms of Reference set out the principles, purpose, and function, the conditions of membership, and procedures for meetings of the CSCC.

### 1.1 Project Background

The Delburn Wind Farm is an OSMI Australia project proposing the construction of a wind farm in the HVP Plantations' Thorpdale Tree Farm in the Strzelecki Ranges to the south of the Latrobe Valley. The project has the capacity to produce 200 megawatts of electricity supplying up to 125,000 homes.

The project scope includes:

- Construction of up to 33 wind turbines, with a maximum overall tip height of 250 m
- Construction of or upgrade to approximately 40 km of access roads and construction of 120 km underground cables within the plantation
- Construction of a terminal station and connection to the grid via the existing 220 kV network
- Upgrades and repairs to approximately 6 km of local roads in support of project construction
- Works compounds and associated infrastructure

The project will:

- Contribute to Victoria's Renewable Energy Targets of 40% by 2025 and 50% by 2030
- Support Victoria's new energy transition in the Latrobe Valley
- Invest \$106 million into the regional economy and generate approximately 180 direct and indirect jobs during construction
- Provide an annual benefit of approximately \$2.1 million to the Gippsland region and 25 full time jobs during its operational life of 25-30 years
- Fund a neighbourhood benefits scheme for neighbours within 2-3 km (depending on the wishes of the community) of up to \$500,000 per annum
- Establish a community benefits fund of approximately \$150,000 per annum (\$750 / MW installed) for the life of the project
- Provide the opportunity for the community to invest in the project

## 2 Delburn Wind Farm's commitment

Delburn Wind Farm will:

- Provide proactive and cooperative communication with the CSCC, project stakeholders and the Delburn community;
- Always treat members of the CSCC, stakeholders and members of the Delburn community fairly, courteously and in a consistent and ethical manner;
- Encourage stakeholder and community input to the project through CSCC members;
- Ensure CSCC members have access to accurate project information;
- Acknowledge local concerns and issues raised at CSCC meetings;
- Transparently make available the meeting minutes on the project website;
- Address, resolve and/or mitigate community concerns or issues in a timely manner.

### 3 Purpose and principles of the Community and Stakeholder Consultative Committee

#### 3.1 Purpose

The purpose of the CCC is to:

- Provide a forum for discussion and exchange of information relating to existing or future issues relating to the planning, development and construction of the Delburn Wind Farm project;
- To identify local issues and to provide the project team with local knowledge and local networks and assist the project team in planning and decision making processes;
- Act as a two-way communication link between the community and the project team during the development and construction of the DWF;
- Provide feedback to the project team at the CCC meetings; and
- Adhere to best practice guidelines, the Code of Conduct and disclose Conflicts of Interest in the register.

#### 3.2 Membership

Members of the CCC will adhere to the following principles:

- **Openness & honesty**
  - To work in an open and honest manner, and with respect for each other and for representatives of the project team;
- **Respect people and diverse views**
  - To respect and value all opinions and consider the views of each member as equally important;
  - Refrain from any form of conduct that may cause a reasonable person unwarranted offence or embarrassment
- **Collaborate**
  - To work collaboratively as part of the CCC and in adherence with the Code of Conduct and Conflict of Interest procedures;
- **Be a conduit for factual information**
  - To pass on accurate information provided at the CCC to the local community and to fairly present matters discussed at meetings;
- **Be constructive**
  - Ask constructive, open and probing questions from other members, the project team or Independent Chairperson
  - To seek guidance and advice on project related matters, as/if required, either from project team members or from the Independent Chairperson.
- **Listen to understand**
  - To understand that at all times it will be necessary to listen to and negotiate different points of view and perspectives;

**Commented [AB1]:** Updated as discussed in the CSCC Mtg #2 - clumped into short headline principles and dot points moved to under the relevant ones.

**Commented [AB2]:** I removed part of the original as I do not think we will ask people to compromise their views – they should continue to hold them but rather listen to others and accept that other views exist.

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## 4 Community and Stakeholder Consultative Committee Terms of Reference

### 4.1 Independent Chair

An Independent Chairperson will be appointed to facilitate and run the CSCC.

The Independent Chairperson is responsible for:

- Ensuring the orderly conduct of the meetings and adherence to the Code of Conduct;
- Ensuring fair participation in discussions by all members;
- Inviting specialists to attend meetings, when required;
- Finalising meeting agendas;
- Guiding meetings in accordance with the principles, agenda and time available;
- Ensuring all discussion items end with a decision, action or definite outcome which is noted in the meeting minutes;
- Chairing meetings in a manner that ensures consistency with the agreed Terms of Reference for the CSCC;
- Reviewing, approving and signing off on meeting minutes prior to distribution;
- Reviewing and evaluating and reporting on the performance of the CSCC, according to the agreed Terms of Reference of the CSCC, as considered relevant;
- Providing feedback to CSCC members and Delburn Wind Farm on any relevant matters that arise from a review or evaluation. Such matters will be discussed with both the project team and the CSCC members and any actions agreed;
- Reviewing and endorsing any new nominations for vacant positions on the CSCC, as required;
- Encourage active declaration of any possible conflicts of interest.
- Ensuring the Conflict of Interest registered is consistently updated.

### 4.2 CSCC Membership

The CCC will be comprised of Delburn, Narracan, Yinnar, Boolarra, Darlimurla and local area community members, one or two representatives from each of the Latrobe City, Baw Baw Shire and South Gippsland Shire Councils, HVP, Delburn Wind Farm project team representatives, and other local/regional stakeholders. The number of committee members may vary over time and the number and rate of participation will be assessed by the Independent Chairperson to ensure that there is appropriate representation of community members from within the project catchment area. The initial membership group will be determined by the Delburn Wind Farm team.

Observers are potentially able to attend CSCC on request to the Independent Chairperson.

### 4.3 Function

The function of the CSCC is to:

- Openly discuss issues relating to the various stages of development of the Delburn Wind Farm as appropriate;



- Assist the Delburn Wind Farm team and site contractors to understand community issues and perceptions relating to construction;
- Assist in the identification of areas where DWF impacts can be managed or mitigated.

The CSCC forms part of broader community and stakeholder engagement which is aimed at maintaining clear and transparent communication about DWF activities for the project with the local community.

#### **4.4 Attendance**

Members of the CSCC are expected to attend each meeting wherever possible and a minimum of 75% of meetings over a year. These may be held monthly, bimonthly or quarterly, depending on the stage of project development.

Each member may nominate an alternate person to be present at a meeting on their behalf if they are unable to attend, for a maximum 25% of meetings in any one year. Inability to attend and nomination of an alternate must be provided to the Independent Chairperson as soon as practicable, and no later than 48 hours prior any meeting.

There may be occasions where guests are invited to attend the meetings, either at the request of Delburn Wind Farm or a CSCC member. Details for any invited guest should be provided to the Independent Chairperson for decision prior to the relevant CSCC meeting.

#### **4.5 Community Member Commitment**

Community members who are on the CSCC will agree to:

- Adhere to these Terms of Reference, Code of Conduct and Conflict of Interest procedures;
- Inform the project teams of any current and emerging issues relating to the project development from a community perspective;
- Identify, communicate, represent and consider the broad range of needs and interests of the local community affected by the project in a fair and transparent manner;
- Provide advice to the project team on how best to disseminate information using existing
- Communicate regularly with the local community who are not members of the CSCC, to provide information on the outcomes of CSCC meetings.

#### **4.6 DWF Project Team Representation**

Delburn Wind Farm project team representatives on the CSCC will agree to:

- Adhere to these Terms of Reference and Code of Conduct;
- Provide regular updates on the Delburn Wind Farm development program, including details of progress, upcoming activities and proposed management and mitigation measures;

- Be open and transparent, and clear when information is not known, or confidential and hence unable to be shared;
- Create opportunities for discussion identified community concerns and issues;
- Present relevant documents at meetings as required. If the CSCC and Delburn Wind Farm agree it is appropriate, documents that are presented at meetings will also be uploaded onto the Delburn Wind Farm's website.


#### 4.7 Committee Vacancies

The selection process for committee positions which may become vacant is as follows:

- Any vacancy on the CSCC will be advertised locally via letterbox drop, inviting nominations to fill the vacant position;
- Where the position is representing a particular interest group, that group will be offered the opportunity to nominate a replacement;
- Any nomination for a vacant position will be held open for one month before nominations close. An email address and mailing address will be provided for receipt of expressions of interest and;
- The Independent Chairperson will review nominations prior to any new appointment.

#### 4.8 Termination of Membership

Any member of the committee can resign at any time for any reason, however membership of a committee member may only be terminated by the Chair if they:

- Fail to adhere to the Code of Conduct or Conflict of Interest procedures;
- Act in the spirit of obstructing the effective functioning of the committee;
-  are unable, for any reason, to fulfill the role of a committee member as a conduit to and from community for information and views respectively;
- Makes any comment to the media that is not clearly identified and reported as that member's personal opinion; and
- are found to be misrepresenting information discussed at a committee meeting on social media or in the public domain.

**Commented [AB3]:** Removing following discussion with the Committee - we hope to encourage involvement, not discourage it. Removed.

**Commented [AB4]:** Making this element of the role clearer.

## 5 Meeting Protocols

### 5.1 Meeting frequency and duration

An inaugural CSCC meeting was held when the members were appointed. Meetings will be scheduled quarterly or monthly, as determined by the Committee, and run for no more than two hours. A special or extraordinary meeting may be called by the Independent Chairperson at his full discretion. An extraordinary meeting would only be called by the Independent Chair if he considers there is an issue or event of sufficient importance to justify calling an extraordinary meeting.

Meetings are currently held on the last Monday of each month from 5pm to 7pm.

### 5.2 Meeting locations

The venue that the CSCC meetings will be held will vary from to ensure accessibility and fairness to all, and depending on availability. The location is announced to committee members up to a week in advance. The Chair has the discretion to nominate an alternative location – for example, a meeting may be scheduled at the site office to facilitate a site tour. Any location will be identified in the agenda and/or communicated to the committee members, a minimum of 48 hours prior to the meeting.

### 5.3 Meeting agenda

Agenda items to be considered at each CSCC will be nominated by both the Project Team and individual members of the CSCC at the preceding meeting or through the Independent Chair. The Chairperson will finalise the agenda. The number of items to be placed on the agenda will be limited to a number that will allow for appropriate levels of discussion and be restricted to items of relevance to the Delburn Wind Farm Construction project and that fall within the parameters of the CSCC's purpose. The meeting agenda and minutes of the previous meeting will be distributed seven days prior to each meeting.

### 5.4 Secretarial services

Delburn Wind Farm will provide secretarial services to the CSCC to:

- Prepare agendas and issue notices for meetings, and ensure all necessary documents for discussion or comment are attached to the agenda;
- Distribute the agenda and minutes of meetings, seven days prior to the next meeting;
- Take notes of proceedings and prepare draft minutes;
- Prove draft minutes to the Independent Chairperson for review and approval as a true and accurate record of meetings; and
- Ensure the CSCC agenda and minutes of meetings are uploaded to the Delburn Wind Farm website.

### 5.5 Meeting minutes

- All meetings will follow an agenda;
- Issues raised and actions agreed will be noted;
- The minutes will not be a verbatim record of discussion;

- The minutes will be presented to the Independent Chairperson, either at the conclusion of the meeting or within 1 week of the meeting;
- The Independent Chairperson will approve the minutes as an accurate record of the meeting;
- The minutes will then be circulated by email to CSCC members and once approved, the minutes will be uploaded the website.

### **5.6 Terms of Reference**

These CSCC Terms of Reference will be:

- Reviewed by the Independent Chair ahead of the first CSCC Meeting and again six months from the date of the first meeting;
- Circulated to all CSCC members, who must acknowledge that they have read the document and agree to abide by the terms, as set out;
- Amended by the Independent Chair (at the request of Delburn Wind farm), to meet any changing needs of the project.

The Independent Chair must provide one months' notice to CSCC members, (including details of the proposed change), when there is an intention to amend the Terms of Reference.

## 6 Code of Conduct

This Code of Conduct is a statement of the ethical principles and behaviours expected of the CSCC:

1. Act ethically, with honesty and integrity, always in the best interests of the community or sector/stakeholder that you represent.
2. Exercise due care, diligence and skill.
3. Not make improper use of your position to gain advantage for yourself or for any other person.
4. Take individual responsibility to contribute actively to all aspects of the CSCCs mandate.
5. Make any recommendations fairly, impartially and promptly, considering all available information, legislation, policies and procedures.
6. Make reasonable enquiries to remain properly informed.
7. Attend a minimum of 75% of CSCC meetings
8. Treat colleagues with respect, courtesy, honesty and fairness, and have proper regard for their interests, rights, safety and welfare.
9. Not harass, bully or discriminate against colleagues, members of the public and/or employees of Delburn Wind Farm.
10. Contribute to a harmonious, safe, constructive and productive environment/culture through professional relationships.
11. Channel all communication through the Chairperson by using the CSCC email address.
12. Not disclose official information or documents acquired through membership of the CSCC, other than as required by law or where agreed by decision of the CSCC.
13. Not make any unauthorised public statements by media or social media regarding the business of the CSCC (noting that making comment when acting as a conduit to your community for information to and from the CSCC is to be encouraged).
14. In the rare circumstance that a decision is made by the CSCC (which will be by consensus only), support, adhere to and not publically contradict any decision made in CSCC meetings.
15. Respect the confidentiality and privacy of all information as it pertains to individuals.
16. Ensure information gained as a member is only applied to proper purposes as a CSCC member.
17. Disclose any personal or business interests which may give rise to actual, potential or perceived conflicts of interest.
18. In the circumstance where you have multiple potential external roles or positions, clarify what or who you are representing when you communicate within the CSCC so it is clear to all on the CSCC the context, origin and intent of your input.
19. Not allow personal or financial interests, or the interests of any associated person, to conflict with the interests of the CSCC.
20. Where conflicts of interest do arise, ensure they are managed via the Conflict of Interest register.
21. Ensure that all staff employed by the Delburn Wind Farm are treated with due respect and are provided with a working environment and working conditions that meet all reasonable standards of employment as defined in relevant workplace legislation.
22. Consider sustainability and environmental factors at all levels of decision-making.

**Commented [AB5]:** Note that this incorporates all the changes highlighted at the CSCC Meeting #2. Approximately 4 or 5 sections changed substantially based on Committee feedback.

Note that by attending the CSCC members, guests and observers are agreeing to adhere to this Code of Conduct.

## 7 Conflict of Interest Procedures

All conflicts of interests must be declared by the person holding that conflict interest as soon as it is identified (and, at latest, during the meeting at which the matter is being considered), and the details lodged in the Conflict of Interest Register. CSCC members will be requested to list interests pre (or if not, then post) appointment - and periodically review and update.

Where a matter arises outside of a meeting, the interest should be disclosed to the Chair and the details lodged in the Conflict of Interest Register.

The following options will be applied case by case depending on what is an appropriate approach: 1 Declared interests that do not disclose a conflict (for example, where someone to whom this policy applies is employed by or otherwise associated with a “competing” organisation but the matter to be decided will not beneficially or detrimentally affect the person or the “competing” organisation) should be recorded as “No conflict” on the register and the matter should proceed as usual; 2 Individuals with a declared conflict of interest should absent themselves from deliberations about the matter; or 3 Individuals declare it and can participate in discussion.

Disclosure of a perceived, potential or actual conflict of interest or a “No conflict” interest, and records of any resultant abstention, shall be recorded within the minutes of any meetings at which the applicable issue is discussed and decided as well as updated in the register.

Any failure to disclose or properly manage an interest should be brought to the attention of the Chair soon as it is identified. Further actions, if required, shall be as determined by the CSCC, as appropriate.

### 7.1 Conflict of Interest Register template

Table 1: Conflict of Interest template

Recorded in this ledger (date)	Name & position of person amending the ledger	Name & position of person with conflict	Conflict disclosed to & (name position)	No Conflict (interest only)	Nature of conflict	Date & means of notification	Agreed action
e.g. 3/5/17	Bridget Jones (Chair)	Tom Smith (CCC member)	Bridget Jones (Chair)		Tom's son is the CEO of a company who tendered for the construction works	Tom emailed Bridget 11/3/17 to declare interest  Tom declared his interest verbally during March meeting	Tom to not disclose any relevant information to his son.

## 8 Media

Members of the CSCC must comply with the following regarding any form of media (i.e., traditional and/or social media):

- All media enquiries about Delburn Wind Farm relevant to the CSCC should immediately be referred to the Independent Chairperson and the OSMI project team;
- Members of the CSCC are not authorised to represent Delburn Wind Farm or to provide any written or verbal comment to the media on behalf of Delburn Wind Farm;
- In the event that a CSCC member is approached by the media, any comments made must be limited to, and clearly identified as, the member's own opinion as a private citizen, and not representative of the views of the CSCC or Delburn Wind Farm;
- Comments made by other members of the Committee, in any situation, must not be discussed with the media;
- Copies of information presented and/or discussed at CSCC meetings must not be provided to the media. Members may direct media to the CSCC website for use of information available there.