

Essential Services Commission

Dear Sir/Madam

Submission to Land Access Code of Practice

Thank you for the opportunity to contribute to the Land Access Code of Practice.

The key area I wish to address is a need that Access is actually required and is of public benefit. Similar as stated in *Australian Energy Infrastructure Commissioner's submissions to the consultation paper 8 March 2023 dot point "confirmation of the absolute need and requirement to access the land"*.

As transmission companies are mostly privately owned there is little oversight and transparency into their operations. The most significant area of risk is in the area of new developments.

While it may be implied that access by a transmission company is in the best interest of the nation it is also apparent that the parties wishing access are private companies and one of their motivations is profit and so creates a conflict between national interest and private interests. This change has largely come about since the privatisation of SEC Victoria. The obvious conclusion is that there is a risk that a transmission company may operate in a manner that is not in the best interest of the nation.

The flow on effect from this is that when resorting to Sec 93 for land access the landholder has no assurance that access to their land is for the benefit of the nation. The concern of a landholder being it is just a means of assuring a private companies profit. While in the usual view of the world we know this sounds unlikely however the issue is brought to light as in VNI-West and the Ministerial Orders and a faulty RIT-T with a number of options not quantified (dispute lodged).

The risk of using Sec 93 without due regards damages community confidence and undermines the respect of all government agencies.

In short Sec 93 for land access should only be used when having openly and transparently demonstrated the absolute need and requirement to access the land.

In addition I would also like to support comments made on the online public forum on 17 July 2023 including OH&S and Induction to property issue and the problem as to a viable independent dispute resolution body.

Submission not confidential

Kind Regards

Keith McPherson

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