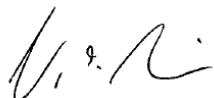


Addendum to the Ombudsman's final report relating to an investigation into the District Council of Coober Pedy, the Department of State Development and the former Minister for Mineral Resources and Energy – July 2018

Ombudsman ref. 2016/08630

1. I supplied my final report to the parties on 3 July 2018. At this time, I also sought the views of, *inter alia*, the Australian Renewable Energy Association (ARENA) and Energy Developments Ltd (EDL) as to the possible publication of my final report – noting that my final report included information relating to the business affairs of both entities.
2. Neither ARENA nor EDL expressed opposition to the publication of my final report. EDL requested that certain figures and amounts be redacted in the event of publication. I have considered EDL's submissions in this regard and have addressed them by way of separate correspondence addressed to EDL's Chief Executive Officer.
3. ARENA and EDL each sought to clarify certain matters raised or discussed in my final report. I recognise that neither entity was provided an opportunity to comment on my provisional views.
4. In the circumstances, I have elected to set out the position communicated by ARENA and EDL in this addendum to my final report. I do not express any opinion about this information, other than to observe that the matters raised by ARENA and EDL do not affect the conclusions reached by my investigation.
5. ARENA has submitted that, contrary to the evidence of Mr Anthony Renshaw, ARENA's Chief Financial Officer, Mr Ian Kay, was not present at the meeting referred to in my final report as the ARENA workshop. ARENA submitted that this meeting was attended by another officer of ARENA.
6. EDL has submitted that it 'raised the issue of whether or not the District Council of Coober Pedy [...] needed to undertake a formal competitive tender process with the Council at the start of the project discussions, and then again on a number of occasions during the negotiation process.' EDL submitted that it was advised by representatives of the council that the council had 'followed all necessary steps to formally approve the execution and implementation' of the project at the time the Power Purchase Agreement was executed.
7. EDL has also sought to affirm that, to its view, the project was delivered on time and on budget and has delivered significant benefits to the Coober Pedy community.
8. Upon receiving my final report, the Department for Energy and Mining also requested an opportunity to comment on the submissions from Ms Michelle Provatidis quoted at paragraph 570 of my final report. The department has acknowledged that it neglected to comment on these submissions in responding to my provisional report. In the circumstances, I simply note that the department rejects the assertions made by Ms Provatidis as to the representations made to her by Mr Nick Smith of the department.

9. The council also responded to my final report to reiterate its disagreement with the conclusions reached by my investigation. I have previously authorised the council to communicate its views about my investigation to the Minister for Transport, Infrastructure and Local Government.



Wayne Lines
SA OMBUDSMAN

30 July 2018