

Terms of Use

Last updated: November, 2025

Introduction

Welcome to the website operated by **Kiamal BESS Project Nominees Pty Ltd as trustee for Kiamal BESS Project Trust (ACN 661 945 302)** ("Company"), developed and maintained by **Martins Design Pty Ltd (ABN 39 083 125 069)**, trading as **Martins Brand House** ("Martins"). By accessing or using this website ("www.blackwatersolarfarm.com.au"), you agree to be bound by these Terms of Use. If you do not agree, you should discontinue use of the Site immediately.

These Terms govern your use of the Site, including all content, materials, and information made available through it. The Site is intended for general information purposes only.

1. Website Content

The information provided on this Site is published in good faith for general information purposes. While Martins and Company aim to keep the content accurate and up to date, neither party makes any representation or warranty as to its completeness, reliability, or accuracy. The information on this Site may change at any time without notice.

You acknowledge that your use of any information or materials on this Site is entirely at your own risk, and Martins and Company shall not be liable for any such use.

2. Intellectual Property

All content on this Site - including text, images, graphics, design elements, and logos - is owned by or licensed to Company, unless otherwise stated.

You may not reproduce, distribute, adapt, or otherwise use any material from this Site for commercial purposes without prior written permission from Company.

Where Martins has developed or supplied website materials, templates, or technical functionality, those elements remain the intellectual property of Martins Design Pty Ltd and are licensed to Company for use on this Site.

3. Third-Party Links and Resources

This Site may include links to third-party websites or social media platforms for your convenience. These links do not signify endorsement, and Company and Martins are not responsible for the content, accuracy, or availability of those external sites.

Accessing any third-party website is at your own discretion and subject to the terms and policies of that site.

4. Website Maintenance and Availability

Martins Design Pty Ltd may, on behalf of Company, update, modify, or maintain the technical platform, layout, or content of this Site from time to time.

While reasonable efforts are made to ensure the Site remains accessible, neither Company nor Martins guarantees uninterrupted or error-free operation. Temporary downtime may occur due to maintenance, technical issues, or factors beyond their control.

5. Limitation of Liability

To the maximum extent permitted by law, Company and Martins Design Pty Ltd are not liable for any loss, damage, or injury — whether direct, indirect, incidental, or consequential - arising out of your access to or use of this Site, including reliance on any information provided herein.

Nothing in these Terms excludes any condition, warranty, or right that cannot be excluded under Australian Consumer Law.

6. Governing Law

These Terms are governed by the laws of Australia. You agree to submit to the non-exclusive jurisdiction of the courts of Australia in relation to any dispute arising from or connected to your use of the Site.

7. Changes to These Terms

Company and Martins Design Pty Ltd reserve the right to update or revise these Terms at any time without prior notice. Any changes take effect immediately upon posting on this page. Continued use of the Site after any such changes constitutes acceptance of the revised Terms.

8. Contact

If you have any questions about these Terms or the operation of this Site, please contact:

Kiamal BESS Project Nominees Pty Ltd as trustee for Kiamal BESS Project Trust (ACN 661 945 302)

Level 26, 360 Elizabeth Street, Melbourne VIC 3000
enquiries-ren-au@totalenergies.com

or

Martins Design Pty Ltd (Martins Brand House)

46 Magill Road, Norwood SA 5067, Australia
digital@martins.net.au

Level 26, 360 Elizabeth Street
Melbourne VIC 3000
kiamalbess.com.au

Kiamal Battery
Energy Storage System