

An aerial night photograph of a coastal region, likely Victoria, Australia. The image shows a complex network of roads and highways, with some sections highlighted in a light blue color. The coastline is visible, with a bridge crossing a body of water. The overall color palette is dark blue and black, with some yellow and white lights from the roads and buildings.

VICTORIAN LAND ACCESS AND EASEMENT ACQUISITION PROCESS

November 2021

MARINUS
LINK

VICTORIAN LAND ACCESS AND EASEMENT ACQUISITION

Marinus Link is committed to working with Victorian communities, businesses and authorities to progress the Marinus Link Project in a positive way that delivers benefits to energy customers and the community.

This brochure provides landowners with details of the key steps in the land access and easement acquisition process and the payments made to landowners at each step.

As with all our activities, Marinus Link commits to work respectfully and considerately with landowners during this process.

An easement is needed in Victoria for the transmission infrastructure that will run underground between Waratah Bay and the greater Hazelwood area.

An easement is a formal agreement covering a specific area that is registered on a property title. It provides a legal right of access to that area that allows the project to construct and operate the transmission infrastructure in the agreed area on your land.

Key principles for easement



Ownership doesn't change

You will still own the land that contains the easement. We will have a formal interest in the area of your land that holds the easement.



Agreed payment

A fair payment amount will be agreed with you, and you will also be paid for reasonable legal expenses.



Access is shared

Your access to the land won't change, and your use of the land will largely be the same, although with some restrictions. We will also be able to access the easement for agreed purposes.



Operating safely

We will work to ensure that the use of land can continue safely for both you and the project, and in a way that avoids damage to both your and our assets.

How big will the easement be?

It is anticipated that the easement will be **20 metres wide**. This is the width needed during the cable's operation.

We will need a wider working area during construction. This is anticipated to be up to an additional 16 metres wide.

ACCESS LICENCE AND EASEMENT OPTION AGREEMENT AND PAYMENT SCHEDULE

Project Milestones	Step	Payment*
Proposed route announced		
	1 Access Licence for field surveys	Access Licence Payment
Preferred route confirmed		
	2 Negotiate Easement Option Agreement (including Property Management Plan)	Option Fee Payment (First Easement Payment)
Project approved		
Pre-construction	3 Exercise Easement Option (as part of the Easement Option Agreement)	Construction Lease Fee Payment
Construction		Second Easement Payment
Construction completed		Third Easement Payment

*See payment details overleaf





WHEN WILL PAYMENTS BE MADE?

WHAT IS THE ACCESS LICENCE PAYMENT?

- ◇ **This payment is to access your land to undertake field surveys to assist in finalising route design**
- ◇ **\$5,000 per Access Licence**
- ◇ **Once off payment upon signing of Access Licence**

WHAT IS THE CONSTRUCTION LEASE FEE PAYMENT?

- ◇ **This payment is for leasing an additional area required during construction. This payment is in addition to the Easement Payments for the 20 metre wide easement**
- ◇ **Once off payment at commencement of pre-construction works**

WHEN ARE THE EASEMENT PAYMENTS MADE?

The easement payments are to be made in installments at three key project milestones:

- ◇ **Option Fee Payment (First Easement Payment)**
 - ✓ \$2,500 or 10% of the total agreed easement payment (whichever is the greater)
 - ✓ Paid upon signing of Easement Option Agreement
- ◇ **Second Easement Payment**
 - ✓ 50% of remaining easement payment
 - ✓ Paid upon commencement of construction
- ◇ **Third Easement Payment**
 - ✓ Balance of easement payment
 - ✓ Paid upon completion of construction and registration of easement on title

STEPS INVOLVED – LAND ACCESS AND EASEMENT ACQUISITION

There are three key steps relating to the land access and easement acquisition process:

- 1.** Obtain an **Access Licence** to provide access for field surveys.
- 2.** Once the preferred route has been confirmed, negotiate an **Easement Option Agreement**. This process includes reaching agreement on a Property Management Plan.
- 3.** Once the Project is approved and progresses to construction, the **Easement Option** will be exercised, construction will commence and payments will be made as outlined in your Easement Option Agreement.

STEP 1: ACCESS LICENCE FOR FIELD SURVEYS

Our representatives have previously met with you to discuss survey requirements and to agree and document all relevant land access, survey, biosecurity, safety and rehabilitation protocols. This information has been, or will be, included in the Access Licence which specifically relates to access for surveys.

It is proposed that the field surveys will be undertaken within the corridors indicated on the individual landowners' property map previously provided. We will likely require multiple visits to each property over a 24 month period. Marinus Link seeks to reduce inconvenience and interruption as much as practical. Marinus Link will repair any damage caused by the survey activities and reinstate to the previous condition. This obligation is set out in the Access Licence.

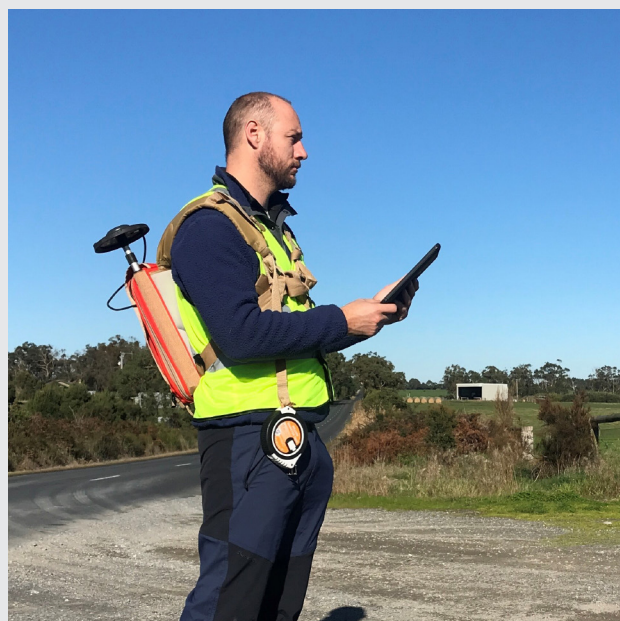
Access Licence Payment

Marinus Link recognises that the surveys may temporarily interrupt the use of your land. To compensate for this, we will pay you \$5,000 upon entering into an Access Licence.

Those who have already entered into an access licence will be paid an additional \$3,000 upon entering revised access licence.

The payment paid under the Access Licence is separate to, and is not related to easement payment, which is agreed at Step 2 if the property is found to be suitable and an Easement Option Agreement is entered into.

We recognise that you may wish to obtain legal advice to ensure your concerns are addressed in the Access Licence. To assist with this, Marinus Link will contribute to legal costs up to \$1,000 if you enter into an Access Licence with us.



STEP 2: NEGOTIATE EASEMENT OPTION AGREEMENT (INCLUDING EASEMENT PAYMENT)

Once we have completed the field surveys and taken into account feedback and local considerations, we will determine the most appropriate route for the proposed transmission cable. This route will be referred to as the preferred route.

If the preferred route is proposed to be located on your property, we will ask you to enter into an Easement Option Agreement. An Easement Option Agreement allows Marinus Link to acquire an easement across your property to enable construction, and the on-going operation and maintenance of the cable if the Project is approved.

It is proposed that the Easement Option Agreement will reflect a 20 metre wide easement which is to be registered on your title following completion of construction. The Easement Option Agreement will also allow Marinus Link to lease an additional area up to 16 metres wide, adjacent to the proposed easement during the construction phase to assist in the construction activities. In a few instances there will be additional construction area requirements which will be discussed with you.

Marinus Link (or our representatives) will contact you to discuss the impact of the proposed easement on your property to assist in assessing payments.

Easement Option Agreement payment

The total Easement Payment within the Easement Option Agreement takes into consideration the impact of the easement on the market value of your property and other losses or expenses incurred, including business interruption. The diagram on the following page provides details of the factors and steps in the Easement Option Agreement payment determination process.

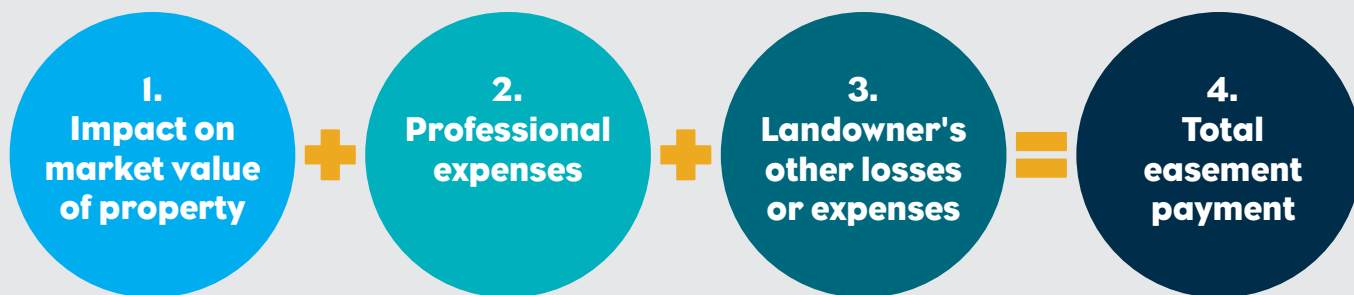
The Easement Option Agreement will include an easement plan setting out the anticipated location of the easement. A licensed valuer will be appointed to determine the payments for the easement. Other losses and expenses will be determined during the process including during the development of the Property Management Plan, as discussed in the next section.

An Easement Option Fee in the amount of \$2,500 or 10% of the agreed easement payment (whichever is the greater) will be paid to you upon the signing of the Easement Option Agreement.

This fee will form part of the total Easement Payment, with the balance to be paid on exercising of the option, and upon registration of the easement.

Marinus Link's payment offer to each landowner will be fair and reasonable having regard to the principles for assessment of payment set out in the Victorian *Land Acquisition and Compensation Act 1986* which are outlined further.

We recognise landowners have different circumstances and Marinus Link will take these into consideration in the issuing of the easement payments.



Determining easement payment amount

1. Impact on the market value of the property

The impact on the market value of your property will be determined through an assessment of the value of the land undertaken by an appropriately qualified, licensed and experienced valuer. The valuer will look at the value of the property with and without the easement and assets, with the difference in value being the impact on the market value of the property.

2. Professional expenses

In addition to paying you for the reduction in the market value of your property, professional expenses such as legal and valuation costs incurred in negotiating the Easement Option Agreement, will be reimbursed where reasonably incurred.

3. Landowner's other losses or expenses

You may also be eligible to claim payment for other losses or expenses reasonably incurred as a result of the easement acquisition, including payment for business interruption. We will discuss with you the potential impacts of the easement and construction works on your use of the property.

4. Total easement payment

Using the above process, an easement payment offer will be determined and presented to you. In the event that you do not agree with our proposed offer you will be given the opportunity to obtain your own valuation from an appropriately qualified, licensed and experienced valuer. We will seek good faith negotiations with you to reach an agreed easement payment amount.

EASEMENT PAYMENT EXAMPLE

Landholder A owns a parcel of land used for grazing cattle. The preferred route of the Marinus Link cable passes through the landholder's property and an easement width of 20 metres is required.

A valuation of the market impact on the land is done by Marinus Link which assesses the impact of the easement on the market value to be **\$X**.

Through discussions with Landholder A, it is identified that the construction of the cable will impact on the grazing activities of Landholder A. Less cattle will be able to use the land during construction due to the 20 metre wide easement and additional 16 metre construction area

being leased not being available for grazing purposes for the identified construction period. This will cost Landholder A an additional **\$Y** to either lease other land or pay for additional feed for the livestock for the estimated construction period.

Landholder A obtains legal advice relating to the Easement Option Agreement and these professional expenses total **\$Z**.

Total payment offered to Landholder A under the **Easement Option Agreement = \$X + \$Y + \$Z**

This is separate to the Construction Lease Fee Payment.

Property Management Plan

During negotiations for the Easement Option Agreement, Marinus Link representatives will discuss with you the practical aspects and potential impacts of the construction on your property and rehabilitation phases of the Project. Such inputs may include confirming specific requirements for easement fencing, access points, continuation of water supply across the working area, biosecurity requirements, storage of surplus soil and rehabilitation requirements.

This detail will be recorded in a Property Management Plan to be developed by Marinus Link in agreement with you. Going into construction, the Property Management Plans will be used to inform the construction management activity.



STEP 3: EXERCISE EASEMENT OPTION

Once the decision has been made to proceed with construction of the Project, Marinus Link will exercise the Easement Option.

Exercising the option will enable Marinus Link to commence pre-construction and construction activities for the transmission cables and associated assets, and register the easement over your property.

Exercising the Easement Option will instigate payments to be made upon certain Project milestones being met.

Should Marinus Link not receive approval or decide not to proceed with the Project, the Easement Option will not be exercised and the remaining easement payment will not be paid.

Once the Easement Option is exercised, the following will occur:

Pre-construction

Pre-construction activities such as surveying and access development (eg improving gates) works commence. At this time, you will receive a once-off Construction Lease Fee Payment for any additional working area identified and as negotiated. It is proposed that this payment will be calculated by the valuer during the determination of the easement payment process

Construction

Construction activities will usually be undertaken over a period anticipated to be no longer than 6 months and often only a few weeks. Upon commencement of construction, you will receive 50% of the remaining balance of Easement Payment. If you have a cable joint bay proposed on your property then return visits to install the cable into ducts will be necessary, these works will generally be confined to the area around the joint bays.

Construction completed

Once construction is completed and a final survey of the easement area is undertaken, the easement will be registered on your title. Once this has occurred, the balance of the agreed Easement Payment is to be made to you.

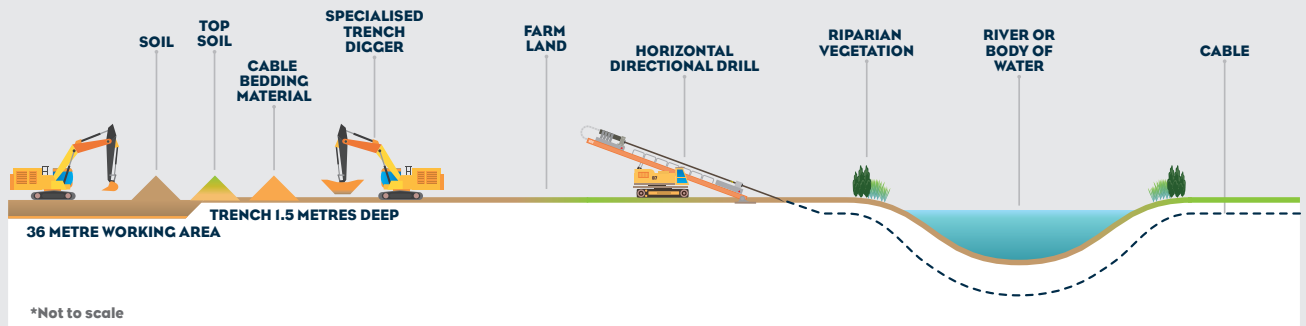


WHAT ACTIVITIES CAN I EXPECT DURING CONSTRUCTION?

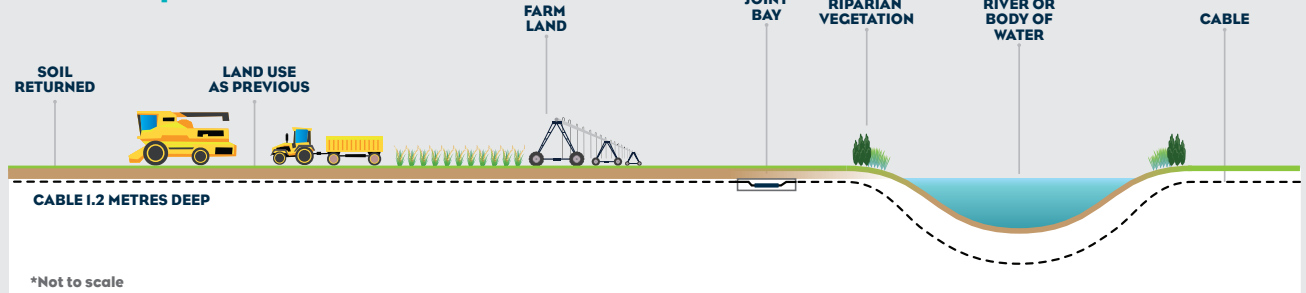
We aim to reduce the potential impacts of Marinus Link during construction wherever possible. Potential activities to expect during construction include:

- ◇ A working area marked out for use during construction, as per the landowner's Easement Option Agreement.
- ◇ The construction area will be fenced to prevent access by livestock.
- ◇ Digging two parallel trenches, laying ducts and constructing joint bays required. Pulling of the cables will be done at a later date.
- ◇ The trenches are backfilled and the land remediated after the ducts are installed, except around the joint bays.
- ◇ Cables are pulled into the ducts and jointed at joint bays, which consist of a concrete pit buried at least 0.5 metres below the surface. The cables are supplied in lengths up to 1,200 metres, to minimise traffic impacts and avoid using oversize transport vehicles.
- ◇ Winches will be used to pull cables into the ducts from one joint bay to the next.
- ◇ Where possible, joint bays will be located next to boundary fences or other features as agreed with landowners, to reduce impacts. Occasional access to joint bays will be required during operations.
- ◇ Existing roads and tracks such as farm access or forestry plantation tracks are proposed to be used for access wherever possible. Existing tracks may be upgraded to facilitate construction traffic, in consultation with landowners. If new access tracks are to be constructed and they are not required for operations, they will be removed unless landowners wish to keep them.
- ◇ Horizontal directional drilling may be used to avoid sensitive areas, deep watercourses or underground infrastructure, and to minimise traffic disruption when crossing major roads or rail lines.
- ◇ Vegetation clearing will be required where trenching is proposed, including crops, pasture, native and non-native plants. Large trees just outside the easement may need to be cleared if they present a risk. Any native vegetation will be cleared in accordance with relevant legislation.
- ◇ Disturbed areas will be remediated in consultation with landowners after construction.

Indicative construction



After completion



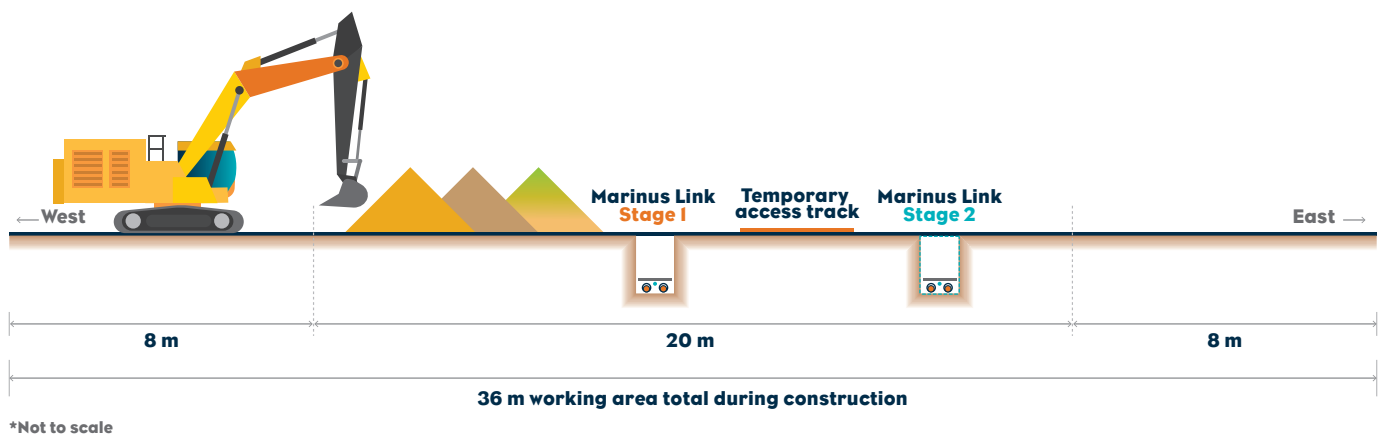
EASEMENT DURING OPERATION

A single underground electricity easement approximately 20 metres wide is proposed for the Project.

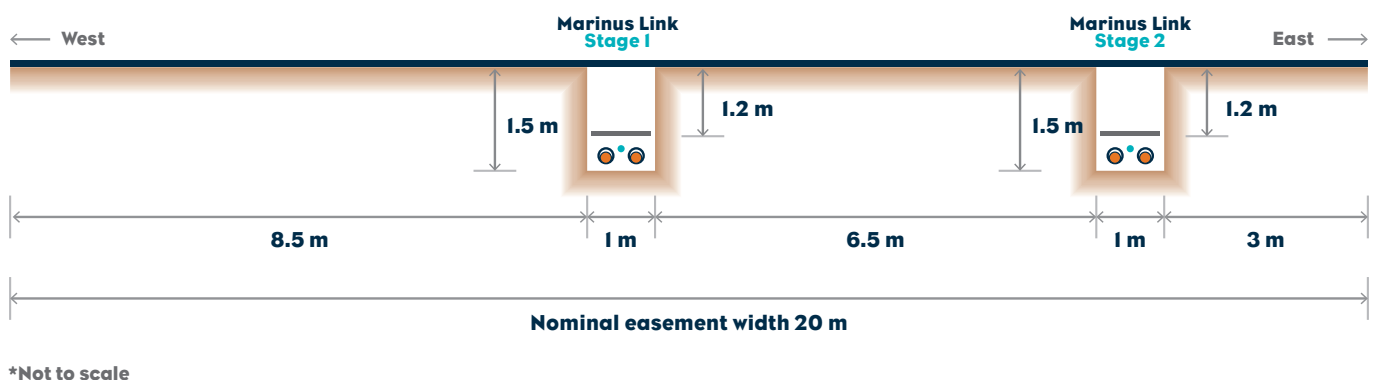
If an agreement has been reached to establish an easement on your property, it gives the Project the right to:

- ◇ construct, operate and maintain our infrastructure within the easement;
- ◇ access the easement when required; and
- ◇ implement safety controls and actions (including clearing vegetation) as required.

Indicative construction corridor layout



Indicative easement layout



— Concrete / PVC slab • Optical fibre ● Cables in conduit, minimum 500mm separation

HOW CAN I USE MY LAND WITHIN THE EASEMENT?

We have aimed to reduce the potential impacts of Marinus Link during operations and have taken this into account in the design of the infrastructure (eg depth of trenches, location of access tracks). Many farming practices can continue following completion of construction, however some activities will be conditional or prohibited within the easement and within immediate proximity to the easement due to safety, access and the cables' technical requirements.

Typically, landowners should seek written permission from Marinus Link before undertaking a conditional activity. If an easement is established, any specific restrictions and prohibitions will be set out in the terms of your easement with Marinus Link.

Permitted ✓	Conditional ~	Prohibited ✗
Cropping (ploughing/tilling to a depth of 0.5 metres)	Cropping (ploughing/tilling to a depth of 0.7 metres)	Cropping (ploughing/tilling greater than depth of 0.7 metres)
Crazing	Boring for groundwater or fence posts	Planting deep-rooted trees (greater than 0.5 metres)
Irrigation	Fixed centre pivot irrigation infrastructure	Building a dam
Most domestic recreational activities e.g. horse riding, cricket	Installing driveways	Reducing or increasing ground level
Minor structures e.g. washing lines or play equipment (subject to depth limits for objects inserted into the ground)	Building temporary/light structures e.g. shelters	Constructing houses or substantial structures
Planting a garden (access may be required in the unlikely event of a cable fault)	Planning subdivisions	Storing or using explosives
Parking vehicles (height/weight restrictions may apply)	Using electric fences	Installing fixed plant or equipment e.g. galvanised sheds or swimming pools
Driving vehicles	Excavation or earthworks	Placing or storing garbage, hay, silage or fallen timber
Electronic ear tags on stock	Constructing utility services, whether overhead, buried or on the surface e.g. electricity, telephone, data and water	Storing or using flammable materials. Lighting fires.

WHAT ELSE SHOULD I BE AWARE OF?

Once constructed, the location of the Marinus Link infrastructure will be placed on the **Dial Before You Dig** database. Marker posts will be placed at field boundaries indicating the centre line of the easement.

We recommend checking the presence and location of underground infrastructure before doing earthworks of any kind by obtaining plans from **Dial Before You Dig**. Plans can be obtained free of charge at www.1100.com.au.





FURTHER INFORMATION

For further information on the project:

visit marinuslink.com.au
email team@marinuslink.com.au
call **1300 765 275**



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