

# North West Transmission Developments

## Notified Corridor - Claiming compensation for injurious affection

The North West Transmission Developments (NWTd) project is subject to the issue of a permit by the Tasmanian Planning Commission (TPC) under the *Major Infrastructure Development Approvals Act 1999 (Tas) (MIDAA)*. Before an application for a permit to construct the works can be submitted to the TPC, a 'notified corridor', also declared under MIDAA must be in place.

The formal notice of the corridor is issued to landholders by the Minister for Planning. Implications are outlined within the notice.

### Does the notified corridor put restrictions on how I currently use my land?

No, however the Minister for Planning must give their consent in writing to any new development within the notified corridor as the land is preserved for development of the proposed infrastructure.

Restrictions apply to developments that are incompatible with the project such as those that would compromise safety, both for individuals and the community. Incompatible uses could injure individuals, and communities may lose essential services if infrastructure damaged.

The decision about incompatibility depends on three factors:

- The type of infrastructure
- The zone
- The land use.



### How do I seek approval for proposed improvements I wish to make within the notified corridor?

As mentioned above, the authorisation of the Minister is required if you would like to seek consent or authorisation for improvements within the notified corridor. We can assist you with this process. For more information or as a starting point, please provide the proposed location and a description of the improvements you seek to make to the below address:

Tasmanian Networks Pty Ltd  
PO Box 606, Moonah Tas 7009  
Email: [nwtd@tasnetworks.com.au](mailto:nwtd@tasnetworks.com.au)

## Can I receive compensation?

It is possible for a landholder to claim compensation if their land is 'injuriously affected' by the notice of the proposed corridor.

Any claim for compensation for injurious affection must be made within 12 months of the service of the notice of the proposed corridor on the owner. If an amendment to that notice is made, then the claim must be lodged within 12 months of the latest notice.

If a permit for the proposed infrastructure development by TasNetworks is subsequently issued and an easement is required, separate discussions will occur with landholders regarding easement acquisition and compensation under the *Land Acquisition Act 1993 (Tas) (LAA)*.

It should be noted that both MIDAA and the LAA contemplate no double dipping (i.e. you cannot be compensated for the same impact twice).

## How do I make a claim for compensation for injurious affection?

If you would like to make a compensation claim for injurious affection caused by the issuing of the notice of the proposed corridor on your land, please contact:

Tasmanian Networks Pty Ltd  
PO Box 606, Moonah TAS 7009  
Email: [nwtd@tasnetworks.com.au](mailto:nwtd@tasnetworks.com.au)

## What do I need to provide?

To support your compensation claim please provide:

- (a) The name and address of the person claiming compensation.
- (b) Confirmation that the person claiming compensation ("claimant") is the owner of the land.
- (c) The title of the land that is the subject of the notified corridor or the permit.
- (d) Details of the compensation that is claimed:
  - i. The specified amount of compensation and how this was calculated; and
  - ii. The basis of the compensation i.e. how was the land injuriously affected by the notice of the proposed corridor.

## How long will it take for my claim to be processed?

Under the statutory timeframe, TasNetworks has six months to notify a claimant in writing that:

- (a) it admits the entitlement to compensation; or
- (b) rejects the claimant's entitlement to compensation; or
- (c) requires further documents and particulars to establish the entitlement to compensation or the amount of compensation claimed.

If TasNetworks admits the entitlement to compensation it must also (in the same notice) advise if it admits or rejects the amount of compensation or if it will determine this once it receives the further information sought.

Where TasNetworks seeks further documents and particulars, the claimant has 30 days to provide these. Once these are provided then TasNetworks must notify the claimant of its determination (as to whether it admits the entitlement to compensation and the amount of compensation claimed).

If TasNetworks admits the entitlement to compensation but rejects the amount claimed, then it is required (in that same notice) to make an offer of compensation that it considers reasonable.

Please note, if the claimant and TasNetworks do not agree on the amount of compensation (for example if the claimant does not accept TasNetworks' offer) then it becomes a disputed claim for compensation and can be determined:

- (a) by later agreement between the claimant and TasNetworks;
- (b) by arbitration (if both the claimant and TasNetworks agree to this) or
- (c) by the Supreme Court of Tasmania.

These processes will take further time to determine the amount of compensation and it is difficult to provide a time estimate for these. It is recommended that claimants obtain legal advice on these options if agreement cannot be reached.

## Who will assess the claim?

TasNetworks engages JLL Australia, our registered valuers, to assess claims for compensation.



Powering a  
Bright Future