

North West Transmission Developments

Notified Corridor – Q & A





What and why

What is a notified corridor?

A 'notified corridor' is the linear corridor of land required to support delivery of major infrastructure at some time in the future. It is put in place during the assessment and approvals phase of an infrastructure project to ensure no future developments will impact the project being progressed.

Why does the notified corridor have to be in place before the project is approved?

Under the *Major Infrastructure Development Approvals Act 1999* (MIDAA) a notified corridor must be in place before a Development Application (DA) and Environmental Impact Statement (EIS) can be submitted for assessment by the Tasmanian Planning Commission and the Commonwealth Environment Minister.

The purpose of the corridor is to prevent incompatible development during the planning and assessment stages.

How wide is the notified corridor?

The notified corridor ranges from 90 to 120 metres. There are a number of factors which are considered when determining the size of the notified corridor including, but not limited to:

- Topography, environmental or cultural constraints.
- Allowing enough space for construction and operation of the transmission line.

- Providing flexibility for TasNetworks to make minor adjustments to the transmission line route during detailed design and construction.
- Accommodating TasNetworks minimum 50 metre wide easement.

What is an easement?

An easement is a property right granted by a landholder that permits TasNetworks to install, safely access and maintain its electricity infrastructure which is situated on a landholder's property.

The easement will reflect the final area needed by TasNetworks to safely construct, maintain and operate the transmission line infrastructure. The easement will be registered on title and will set out rights and obligations applicable to both TasNetworks and the landholder.

Is this notified corridor the final easement for the project?

With some exceptions, the final easement required for the project will be narrower than the notified corridor. Any information previously shared with you by TasNetworks about planning for the transmission corridor still applies in advance of the final alignment being approved.

Once the transmission line is constructed and operational the easement will range from 50 to 60 metres wide in the majority of cases with a handful of exceptions being between 60 metres and 160 metres wide. TasNetworks will only seek a wider area easement in cases where the technical or safety reasons require (i.e. conductor blow out).



Impacts to landholder

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 notifiable corridor.

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 damaged.

The decision about incompatibility depends on three factors:

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

Does the notified corridor mean my land has been acquired?

No. A notified corridor is put in place during the assessment and approvals phase of a project to restrict development within it.

If the project is not approved will the notified corridor stay on my land title?

The notified corridor is not automatically removed if the project is not approved.

If the project is approved, the width of the corridor can be amended to match the size of the final easement.

If I sell my property will the new owners have to comply with the requirements of having a notified corridor on the land title?

Yes, as the notified corridor is registered on the title to the land, its rights and obligations apply to the land and will be transferred to the new owners.

Compensation and legal costs

Will I be reimbursed for legal advice regarding the notified corridor?

TasNetworks will cover reasonable costs for landholders to seek legal advice to understand the implications of the notified corridor on their land. Landholders should contact their designated Land Agent who can assist in this process.

Can I be compensated for both the notified corridor and when an easement is formally acquired?

It is possible for some landholders to have an entitlement to compensation due to the notified corridor as well as the easement once formally acquired.

MIDAA provides that a compensation claim can be made for injurious affection that arises where the land is subject to a notified corridor (given development of the land is restricted). Injurious affection under MIDAA is restricted to that caused by the declaration of the corridor or a permit to proceed with a use or development within the corridor.

Any claim for compensation must be made within 12 months of the service of notice of the proposed corridor on the landholder; or the permit to proceed with use or development within the corridor.

The MIDAA notified corridor is generally wider than the final easement. Given this, there may be instances where a property is located within the notified corridor but TasNetworks do not need to acquire an easement over that property to construct, maintain or operate the transmission line.

If the project proceeds 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).

I'm concerned about the impact the notified corridor will have on my property value. Will I be compensated for loss of value?

Other than compensation for injurious affection, compensation for loss in value of the land is not payable. Loss of value in the land will be determined and compensated for if and when TasNetworks acquire an easement. Compensation for loss in value of the land is not payable under MIDAA for the notified corridor.

Permission to access land

I'm opposed to the project and have not signed an agreement for TasNetworks to access my land. Does the notified corridor provide TasNetworks with access rights?

The Minister for Parks can authorise entry to properties located within the notified corridor once the project has been approved. This power is set out under the LAA.

TasNetworks preference is not to use this option but to work with landowners to understand concerns and develop an access agreement that is in the best interest of both parties. TasNetworks would only use this option as a last resort if a mutual agreement with the landholder could not be reached after the project is approved and prior to commencement of construction.