



About ENERGEX: ENERGEX is a Government Owned Corporation responsible for operating and maintaining an electricity distribution network spanning more than 25,000 square kilometres, to deliver a safe and reliable electricity supply to South East Queensland.

As part of our commitment to ensuring a safe and reliable power supply for South East Queensland, ENERGEX is responsible for developing new electricity infrastructure as it is needed. Depending on the scale and the type of infrastructure to be developed, ENERGEX may either acquire land outright for this purpose, or it may take an easement or wayleave.

When would ENERGEX seek an easement?

Where ENERGEX proposes to build an asset such as a substation, it would normally acquire an appropriate site outright. But for linear infrastructure such as powerlines, which require a corridor, and can co-exist with other uses, we do not need to own the land outright. Therefore ENERGEX generally elects to take an easement or wayleave over the land which has been identified as the optimal route for the proposed infrastructure.

What is an easement?

An easement provides 'right of way' over a portion of land that allows ENERGEX to construct and maintain a powerline. Ownership of the land remains with the property, however certain restrictions may be placed over how the land can be used in future.

Why is it necessary to take an easement?

Generally ENERGEX requires a 40 metre corridor of land, free of habitable structures, to allow the safe operation and maintenance of high voltage sub-transmission lines. Where construction of parallel high voltage lines is required, a wider corridor may be necessary.

Taking an easement ensures that ENERGEX can readily access our powerlines for maintenance and repairs. It also ensures that powerlines are located a prudent distance from habitable structures.

How is an easement selected?

When the need for a new powerline is identified, ENERGEX is required to investigate a range of possible routes, to determine the best corridor. Once a preferred route is identified, it is rigorously assessed against a range of criteria including proximity to existing residential and commercial development, land use patterns and regional planning initiatives, environmental, economic and engineering factors and social and community benefits and impacts.

Where ENERGEX is proposing to upgrade an existing powerline, or has previously taken an easement in anticipation of future requirements, it is probable that the existing easement will prove to be the best route. In most cases, ENERGEX is required to obtain Community Infrastructure Designation from the Minister for Mines & Energy for the project to proceed.

ENERGEX makes every effort to balance landowners' needs with the requirements of developing new infrastructure. Where possible, new powerlines are placed along property boundaries to avoid fragmenting individual holdings.





How does ENERGEX take an easement?

Once the best corridor has been identified, ENERGEX approaches the landowner with the aim of negotiating the easement on mutually agreeable terms.

If after ongoing negotiation, ENERGEX is unable to reach agreement with the landowner, the next step is to initiate the compulsory acquisition process by issuing a Notice of Intention to Resume. As a 'constructing authority,' ENERGEX can compulsorily acquire easements under the *Acquisition of Land Act 1967*, although this is not our preferred approach.

Can the landowner object?

Yes. Once a Notice of Intention to Resume is issued, the landowner has at least 30 days to lodge a written submission to ENERGEX, setting out their grounds for objection, with supporting detail. The landowner can elect to have their objection heard by a delegate of the ENERGEX Board, who will recommend to the Board whether ENERGEX should proceed with its application to the Minister for Natural Resources and Water for compulsory acquisition.

Then what happens after an objection hearing?

If it is determined that ENERGEX should proceed with the compulsory acquisition, the Minister will seek Governor-in-Council approval. If approval is granted, the decision is published in the Government Gazette. Once a decision has been 'gazetted' there is no further right of appeal.

How are landowners compensated when an easement is taken?

ENERGEX negotiates a once-off payment to the landowner at the time the easement is taken, as compensation for the restrictions that must be applied to how the land is used. ENERGEX uses independent Queensland Registered Valuers with expertise and experience in determining fair and reasonable compensation. Our valuers consider all relevant information, including recent market sales history, the impact of the new infrastructure, relevant legislation and court precedents.

What land-use restrictions apply to ENERGEX easements?

Generally easements do not need to be fenced, however padlocked gates may be installed on property boundaries to allow ENERGEX periodic access for maintenance. In some cases ENERGEX may need to negotiate construction of an access track across private property to the easement. Tracks are constructed to be free draining so that they do not dam water or impede flow.

ENERGEX will determine whether any existing structures on the proposed easement can remain in place. The *Electrical Safety Regulation 2002* sets out guidelines for safe distances to different voltage lines. Small items like wooden framed chicken coops or horse stalls are usually able to remain, but larger items such as buildings, water tanks or tall structures would be reviewed on a case by case basis.

Widening existing easements

In certain circumstances, ENERGEX may need to widen an existing easement, and may review the terms and conditions applied to the easement to bring it into line with current standards for our easements. The process for widening an existing easement, and negotiating appropriate compensation with the landowner, is the same as for new easements.

Vegetation and maintenance

Height restrictions also apply to vegetation in the easement, so trees growing taller than four metres may need to be removed. Where easements run through residential areas, ENERGEX may undertake some replanting of lower-growing vegetation species to minimise the visual impact of our electricity infrastructure.

Under the requirements of the *Electricity Act 1994*, ENERGEX is required to ensure that surrounding vegetation does not interfere with powerlines. This means we are responsible for ongoing vegetation management in areas that we have taken as easements. ENERGEX crews will periodically trim back vegetation on the easement, although we are not responsible for mowing the easement.

ENERGEX undertakes its safetree vegetation management program in accordance with its environmental management system. We use quality assured service providers trained in internationally approved techniques and all work is conducted to the Australian Standard AS4373 Pruning of Amenity Trees.

Powerlines and agriculture

Where an easement is taken to allow the construction of an overhead or underground high voltage powerline, some restrictions will apply to use of the land to grow crops. The land can be used for grazing.

For more information please visit
www.energex.com.au