

Making a Land Access Code of Practice: Consultation paper

Consultation paper

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Acknowledgement of Country

We acknowledge the Traditional Owners of the lands and waterways on which we work and live. We acknowledge all Aboriginal and Torres Strait Islander communities, and pay our respects to Elders past and present. As the First Peoples of this land, belonging to the world's oldest living cultures, we recognise and value their knowledge, and ongoing role in shaping and enriching the story of Victoria.

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Summary

We are developing an enforceable Land Access Code of Practice (the code of practice) related to land access by electricity transmission companies. It is intended that this code of practice will apply when companies exercise their statutory powers under section 93 of the *Electricity Industry Act 2000* (the Act).

We expect that compliance with the new code of practice will support electricity transmission companies to create and maintain a social licence to operate. Social licence for electricity transmission projects is critical to Victoria's decarbonisation of its energy sector. In order to be able to plan for, build and maintain transmission networks, electricity transmission companies are empowered by law to undertake activities such as accessing privately owned land.¹ It is imperative – for maintaining social licence for transmission projects – that these powers be exercised in a reasonable manner.

In developing the code of practice we are taking into account landowner feedback on their experiences with land access following the release of the [Electricity Transmission Company Land Access Statement of Expectations](#) in May 2022, particularly what issues they believe the statement of expectations addresses well and what issues they consider could improve.

Indicative timeline

The key dates related to making the code of practice are as follows:

- Early consultation stakeholder forums and meetings: December 2022 to March 2023
- Consultation paper: 2 February to 3 March 2023
- Draft decision on the Land Access Code of Practice: expected May 2023
- Consultation sessions with community and industry: June 2023
- Submission to the draft Land Access Code of Practice close: July 2023
- Final decision on the Land Access Code of Practice: expected August 2023
- Land Access Code of Practice takes effect: expected September 2023

¹ See section 93(1) of the *Electricity Industry Act 2000*. Though note the exercise of the powers under section 93(1) is subject to the constraints set out in section 93(2).

Structure of this paper

This consultation paper provides background to the powers of Victorian electricity transmission companies to access land, and seeks initial stakeholder feedback to inform the development of an enforceable code of practice to regulate land access.

The [introduction](#) highlights our key considerations and proposed approach to this review.

We then briefly present the [current land access framework for Victorian electricity companies that is regulated in the *Electricity Industry Act 2000*](#). We also explain the commission's role in making regulatory instruments related to land access by electricity transmission companies, and present the commission's earlier work on the Electricity Transmission Company Land Access Statement of Expectations.

Finally, we present [questions for stakeholders](#) that will inform the drafting of the code of practice.

How to give us your feedback

We are seeking preliminary feedback on the Land Access Code of Practice Consultation paper. Submissions should be made via [Engage Victoria](#) by 5 pm on 3 March 2023.

Submissions will be published on the commission's website, except for any information that is commercially sensitive or confidential, in accordance with our [Submissions Policy](#). Submissions should clearly identify which information you consider to be sensitive or confidential, and the basis for your claim.

We are also open to meeting with individual stakeholders to discuss specific feedback.

We will continue to proactively engage with the community, government departments and agencies through individual meetings as this review progresses.

There will be more opportunities to be involved in our consultation process once we release our draft decision in May 2023.

If you have any questions or would like to arrange a meeting, please contact us at energyreform@esc.vic.gov.au.

Introduction

The purpose of this paper is to seek feedback on key issues on land access that will inform the content of our draft code of practice set to be released for consultation in May 2023.

The code of practice is the next step in our work related to regulating access to land by electricity transmission companies under section 93 of the Act. In late 2021 we began hearing strong community concerns about the use of section 93 powers by AusNet Transmission Group when accessing land for the Western Renewables Link project.

In response to these concerns, and recognising the urgency of these land access issues faced by landowners, we developed the [Electricity Transmission Company Land Access Statement of Expectations](#) (the statement of expectations) as a targeted, interim measure to address concerns quickly and effectively, promoting effective engagement between landowners and electricity transmission companies.

During the consultation on the statement of expectations, stakeholders reiterated to us the need for an enforceable instrument to set out parameters for how electricity transmission companies can use their powers under section 93 of the Act. We are now developing an enforceable code of practice related to land access to address this need.

An enforceable code of practice will mean the commission can take a range of enforcement action as set out in Part 7 of the ESC Act, such as issuing penalty notices or commencing legal proceedings, for possible breaches of the code. We take a risk-based approach to enforcement, aiming to deter possible breaches in order to prevent harm to Victorian customers.² In 2021-22, the commission took a significant number of compliance and enforcement actions, with \$6.485 million paid in penalties by Victorian energy companies. We assess possible contraventions on a case-by-case basis, considering several factors such as the strategic significance of the matter, and the conduct and compliance history of the licensee.

The statement of expectations came into effect in June 2022. Since then, we have been requiring electricity transmission companies to report to us monthly on their performance under the principles in the statement of expectations.³ We are monitoring electricity transmission companies'

² The commission's approach to enforcing the Victorian energy rules are also set out in our [Compliance and Enforcement Policy](#).

³ Monthly reports are available online at [Reporting against the electricity transmission company land access statement of expectations](#). A summary of our monitoring activities related to land access is available in our [2021-22 Victorian Energy Market Report](#) (page 38).

performance under the statement of expectations, and we are using this data to inform the development of the code of practice.

Following the release of the statement of expectations, we have continued engaging with community stakeholders. On 13 December 2022, we held a public forum where stakeholders shared their experience with land access following the release of the statement of expectations and gave their initial views on what the code of practice should address. A recording of this public forum is available on the commission's project webpage here: [Developing a Land Access Code of Practice](#).

We have also engaged with relevant stakeholders, including community members and government representatives, such as the Department of Energy, Environment and Climate Action, VicGrid and the Australian Energy Infrastructure Commissioner, in one-on-one meetings to discuss their experiences with land access under section 93 of the Act. We also acknowledge and are actively considering the critical importance of the connection of Victoria's First Peoples communities to the lands on which transmission lines are proposed to be built in Victoria.⁴

We are seeking further feedback from you as we develop the code of practice. You can also respond to an online survey about your experience with land access for transmission projects, with the same questions laid out in this consultation paper.

⁴ In 2021, we released '[Getting to Fair: Breaking down barriers to essential services](#)', our strategy to address issues for customers experiencing vulnerability. The first objective of our strategy is that consumers experiencing vulnerability are supported to better understand and exercise their rights and can influence our work. To achieve our goal, one of the key actions is to develop a better understanding of First Peoples consumers (acknowledging Aboriginal self-determination as a guiding principle). In doing so we will better understand the relationship First Peoples have with country and explore and adopt culturally appropriate ways for First Peoples communities to directly guide and influence our work. The second objective of our strategy is that the services we regulate are more responsive, inclusive and accessible.

Current land access framework for Victorian electricity transmission companies

This chapter explains why we are making the code of practice. It sets out the current powers of electricity transmission companies to access private land, the commission's role in making regulatory instruments related to land access by electricity transmission companies,⁵ and the commission's earlier work on the Electricity Transmission Company Land Access Statement of Expectations.

Powers of electricity transmission companies to access private land under the *Electricity Industry Act 2000*

In practice, land access often occurs through a voluntary agreement between a transmission company and a landholder.

When an agreement cannot be reached, electricity transmission companies, as licence holders, are allowed to use their statutory powers under section 93(1) of the Act to access private land where necessary for greenfield transmission infrastructure projects. If access to land is made pursuant to section 93(1) of the Act, there is an obligation on the transmission company under section 93(2) to do 'as little damage as may be', and to pay compensation for damage caused through access within a two year timeframe under that section. An extract of section 93 of the Act can be found in Appendix A of this document.

Historically, with very few major Victorian transmission projects in recent decades, there had been little demand for a code of practice for land access to establish parameters for the use of section 93 powers. However, this position has changed. Significant upgrades to Victoria's energy transmission grid are now necessary to facilitate the transition to net zero emissions by 2050 and meet Victoria's renewable energy target of 50% of electricity to come from renewable sources by 2030.⁶

The commission's role

Section 93(5)(d) of the Act provides that the exercise of a power to access land is subject to any provision of a code of practice about the entry on land by a licence holder. This includes electricity

⁵ The commission has the power to grant an application for the issue of a licence to an electricity transmission company under section 19 of the *Electricity Industry Act 2000*.

⁶ Victoria's current renewable energy targets are legislated in the *Renewable Energy (Jobs and Investment) Act 2017*.

transmission companies. The commission has the function of making codes of practice under Part 6 of the *Essential Services Commission Act 2001* (ESC Act).⁷

Under section 47 of the ESC Act, the commission has the power to make codes of practice with respect to a regulated industry – this includes the distribution, transmission, and generation of electricity. A code of practice may also include obligations which apply to regulated entities, such as licensees, that are specified as ‘civil penalty requirements’. These are enforced by the commission under Part 7 of the ESC Act.

At present, the commission does not have a code of practice regulating land access. However, the commission has developed a statement of expectations for electricity transmission companies when accessing land.

The purpose of the statement of expectations

The statement of expectations established the commission’s clear expectations of Victorian electricity transmission companies when a licensee accesses private land under its statutory powers derived from section 93 of the Act.

The statement of expectations came into effect on 1 June 2022. It established principles that the commission expects to apply to all instances of private land access undertaken by an electricity transmission company under its statutory power in relation to major transmission projects on greenfield sites, together with examples of actions by an electricity transmission company to give effect to the principles.

The general principles are as follows:

- Approach to communication and engagement
 - Ensure staged, timely engagement and consultation
 - Be accessible and responsive
 - Use accessible, readable communications
 - Employ respectful two-way communication
- Process of communication and engagement
 - Identify and contact those affected
 - Provide identification on contact
 - Outline access rights and obligations
 - Make clear when and why access is required

⁷ Section 10(da) *Essential Services Commission Act 2001*.

- Explain the processes involved
 - Commit to details on how access will occur
 - Give reasonable notice of proposed access
 - Keep records
 - Maintain confidentiality and respect privacy
- Managing impacts of access
 - Minimise impact on land and landowners
 - Meet expected work standards
 - Meet requirements for field-based employees and contractors accessing land
 - Implement environmental and biosecurity controls
 - Manage fire risks
 - Manage COVID and other health risks
 - Managing complaints and disputes effectively and fairly
 - Implement effective complaint handling
 - Offer dispute resolution

A full description of the general principles for land access established in the statement of expectations can be found in Appendix B of this document.

The statement of expectations sought to achieve a balance between the statutory right for electricity transmission companies to access private lands where necessary to provide their essential services, and the rights of those interested in the land affected by that exercise of power. It promotes effective engagement between landowners and parties interested in land and electricity transmission companies.

The code of practice is the next step in our work related to regulating access to land by electricity transmission companies under section 93 of the Act. We will also be considering broader obligations that may relate to preliminary land access activities that take place before a landholder decides whether they want to enter into a voluntary agreement or access through section 93 of the Act.

Questions for stakeholders

Following the release of the statement of expectations, we have continued engaging with the community through individual meetings. In addition, on 13 December 2022 we held a public forum where stakeholders gave their initial views on what the code of practice should address.

We are mindful of the significant stakeholder interest in the development of the code of practice, and as such, we are seeking further feedback from you as we develop the code of practice.

We are also aware of different engagement processes and information sessions relating to Victorian transmission projects that are running at the same time as our processes. We note that this may create uncertainty and confuse stakeholders, making it difficult to understand the purpose and scope of each process, as well as the role and responsibilities of different government departments and agencies. We are liaising closely with these various government bodies, such as VicGrid, to improve clarity on these matters and support the development of a consistent regulatory framework on land access by electricity transmission companies.

We will also continue to proactively engage with stakeholders, and are open to receiving feedback in ways that are convenient for interested parties. Any feedback you may provide through our initial survey on these or any other relevant matters is valuable for us and will inform our draft decision.

If you have had experience with land being accessed (or sought to be accessed) by an energy company and/or if you were involved in the consultation on the Electricity Transmission Company Land Access Statement of Expectations, we want to hear from you.

We welcome stakeholder views and feedback on the following questions:

Questions for stakeholders

1. Do the principles in the Electricity Transmission Company Land Access Statement of Expectations (at Appendix B) provide an appropriate basis for enforceable obligations in a Land Access Code of Practice? If not, why not?
2. Is the scope of the Electricity Transmission Company Land Access Statement of Expectations – applying to electricity transmission companies seeking to access land for new greenfields transmission projects – appropriate? Should other activities related to private land access undertaken by an electricity transmission company under section 93 of the *Electricity Industry Act 2000* be included in the code?
3. How has your experience with land access been following the release of the Electricity Transmission Company Land Access Statement of Expectations? Are there any issues you

have experienced that could be further addressed in a code of practice with enforceable obligations?

- 3.1. What do you consider are the most important problems that need to be addressed when electricity transmission companies access land under section 93 of the *Electricity Industry Act 2000*?
- 3.2. What other options do you think the commission could consider in addressing the identified problems related to land access under section 93 of the *Electricity Industry Act 2000*? Are there alternative elements to consider within the code? What are the costs and benefits of those alternatives?
- 3.3. Are there any elements of the Electricity Transmission Company Land Access Statement of Expectations that should be clarified in a Land Access Code of Practice?
4. What obligations do you think are needed to cater for the specific needs of private land (such as, and including, biosecurity protections and processes)?
5. Compared to the principles set out in the Electricity Transmission Company Land Access Statement of Expectations, should the Land Access Code of Practice have more prescriptive obligations about the time provided to landowners prior to accessing land, the transparency of processes when accessing land, or level of flexibility on the time to access land? If so, what specifically should be required of electricity transmission companies? What are the benefits and costs of having more prescriptive requirements?
6. The Energy and Water Ombudsman (Victoria) (EWOV) is the current complaints dispute resolution body for the resolution of disputes involving electricity transmission companies under the statement of expectations. Are there other options for complaint handling that we should consider as we develop the code of practice? What would be the costs and benefits of those options?
7. Is there anything else you want us to consider when drafting the Land Access Code of Practice?

Submissions to this paper and responses to our initial survey closes 5pm on 3 March 2023.

Appendix A

Section 93 Electricity Industry Act 2000

Extract from the Electricity Industry Act 2000

Taken from Version No. 095, Electricity Industry Act 2000

Version incorporating amendments as of 1 June 2022

93 Powers as to works etc.

- (1) For the purposes of this Act, an electricity corporation, subject to this Act—
 - (a) may enter upon any lands and sink bores and make surveys and do any other acts or things necessary for sinking bores or making surveys; and
 - (b) may, with any equipment or devices, receive, store, transmit, or supply electricity, water, brown coal or products of brown coal over, or under, any land and may enter on any land upon either side of such equipment and fell or remove any tree or part of a tree or any obstruction which in the opinion of the electricity corporation it is necessary to fell or remove; and
 - (c) subject to the **Water Act 1989**, may divert water from any waterway, lake, lagoon, swamp or marsh, or alter the bed, course or channel of any waterway; and
 - (d) subject to the **Road Management Act 2004**, may enter upon any public or private land or roads and construct any works or place on under or over any such land or road any structure or equipment and may repair, alter or remove any such structure or equipment or any works under its control; and
 - (e) may do all other things necessary or convenient for constructing, maintaining, altering, or using any works or undertakings of, or under the control of, the electricity corporation.
- (2) In the exercise of the powers under subsection (1), an electricity corporation must do as little damage as may be and, must, if required within 2 years from the exercise of the powers, make full compensation to the owner of and all parties interested in any land for any damage sustained by them in consequence of the exercise of the powers.
- (3) Compensation under subsection (2) shall be either a gross sum or a yearly rent as may be agreed and, in default of agreement, shall be determined in the manner provided in the **Land Acquisition and Compensation Act 1986**.
- (4) An electricity corporation may exercise its powers under this section by its officers or employees or by any other person authorised in writing by it or by the officers or employees of any such person.

- (5) This section applies—
- (a) to a distribution company, transmission company and a generation company holding a licence under Part 2; and
 - (b) to the holder of any other licence under Part 2 as if a reference in this section to an electricity corporation included a reference to the holder—
- and so applies—
- (c) subject to the conditions of the licence in relation to the exercise of powers under this section; and
 - (d) subject to any provision of a Code of Practice about the entry on land by a person referred to in paragraph (a) or (b).
- (6) The entitlement to compensation under subsection (2) is not affected by—
- (a) anything to the contrary in the **Road Management Act 2004**; or
 - (b) any right conferred by, or any obligation or duty imposed under, the **Road Management Act 2004**.
- (7) A provision of a Code of Practice about the entry on land by a person referred to in subsection (5)(a) or (b) has no effect to the extent that it—
- (a) confers, or purports to confer, any right or power which is inconsistent with the **Road Management Act 2004**; or
 - (b) imposes, or purports to impose, any obligation or duty which is inconsistent with the **Road Management Act 2004**.

Appendix B

General principles for land access

Extract from the Electricity Transmission Company Land Access Statement of Expectations

General Principle	
1 Comply with this statement of expectations	
An electricity transmission company will comply with this statement of expectations, and with any additional access terms and conditions agreed in writing with landowners or parties interested in land.	
Approach to communication and engagement	Examples of actions by electricity transmission companies
2 Ensure staged, timely engagement and consultation	
An electricity transmission company will undertake staged, timely, relevant and appropriate engagement and consultation with landowners and parties interested in land potentially affected by a proposed greenfield transmission project.	<ul style="list-style-type: none">• As early as is practicable in the planning process, publish details of the project, timeline, and key milestones, and update these as information changes.• Outline the electricity transmission company's commitments and landowners' rights in plain English• Explain what landowner input is likely to be needed and why, and at what stages of the project.• Provide timely updates and additional details as necessary to inform affected landowners on project progress.
3 Be accessible and responsive	
An electricity transmission company will provide	<ul style="list-style-type: none">• Provide a designated person, such as a 'land liaison officer', for each landowner.

affected landowners with an accessible point of contact in the company. They will be available to respond to questions and address issues promptly during all stages of a transmission project.

- Provide a 24/7 contact number.

4 **Use accessible, readable communications**

All written electricity transmission company communication materials regarding land access must be readable and readily accessible by those affected by a transmission project.

- Ensure all materials are written in plain English, concise and easy to follow. Avoid use of legal language.
- Ensure all material is readily accessible. General information may be published on an electricity transmission company's website, notifications placed in local papers or other media where warranted, and letters or emails sent to affected landowners.
- Provide links to translation services in communications.

5 **Employ respectful two-way communication**

An electricity transmission company will communicate openly and honestly, and act respectfully and collaboratively with landowners and other parties interested in land affected by its proposed land access.

Wherever possible, an electricity transmission company will incorporate landowner feedback into its decisions regarding proposed land access.

- Conduct all communication collaboratively, sensitively and respectfully. This includes formal correspondence with landowners.
- Ensure that anyone who engages with landowners from or on behalf of the electricity transmission company has training in appropriate and effective stakeholder engagement, including on the principles in this document.
- Be flexible where practicable to reschedule appointments and land access activities if reasonably requested by the landowner.
- Adapt the mode, method and points of access if appropriate, if reasonably requested by the landowner.

- For example, where it is possible without impacting project timelines, adjustments could be made to minimise harm when paddocks are wet, during critical days of seasonal production operations, or when a landowner is unavoidably absent from a property.
- On request from a landowner an electricity transmission company should share the outcomes of its investigations with the landowner where appropriate and where able to do so.

Process of communication and engagement	Examples of actions by electricity transmission companies
<p>6 Identify and contact those affected</p> <p>An electricity transmission company will make diligent and comprehensive efforts to identify and contact landowners and others likely to be directly affected by its proposed land access.</p>	<ul style="list-style-type: none"> • Contact the registered landowner of the property to be accessed. • Contact persons occupying the property to be accessed. • Implement reasonable fallback measures when contact is not achieved or acknowledged (for example, making enquiries with Local Government), in compliance with applicable privacy laws. • Communication may be via registered mail where other attempts at contact have failed.
<p>7 Provide identification on contact</p> <p>An electricity transmission company will ensure that anyone contacting landowners regarding land access</p>	<ul style="list-style-type: none"> • An electricity transmission company may implement a system that allows quick verification of credentials for

(whether by phone or verbally in person) from or on behalf of the electricity transmission company, will clearly identify themselves and who they work for, and specify the purpose of the contact.⁸

The electricity transmission company need not disclose the full names of individuals acting for or on its behalf, provided that the individual has identification or written authorisation that a landowner can readily verify with the electricity transmission company.

authorised officers, rather than providing individuals' full details.

8 **Outline access rights and obligations**

An electricity transmission company will provide information on the rights of landowners' and parties interested in land in relation to its land access, as well as the company's commitment to meeting the principles in this statement of expectations.

An electricity transmission company will publish or provide a link to this statement of expectations on the electricity transmission company's website.

- Direct stakeholders to this statement of expectations and to related published information.
- Provide a simple description of:
 - the electricity transmission company's right to access land even without a landowner's consent, and its obligation to do as little harm as possible.
 - the entitlement to compensation if the electricity transmission company causes damage when exercising its rights to access land.

9 **Make clear when and why access is required**

An electricity transmission company will provide such information as is reasonably necessary for a landowner to understand when and why proposed access to the landowner's property is required.

An electricity transmission company will provide its best estimate of the duration of access and will also explain variables that may affect that duration.

Explain:

- which stage of the transmission project lifecycle the proposed access relates to (that is for planning and investigations, construction, or for operation and maintenance of installed assets)
- the planned dates and times when access is sought, and any variables

⁸ Section 93(4) of the Act allows an electricity company to exercise its section 93 powers by its officers or employees or by any other person authorised in writing by it or by the officers or employees of any such person.

Agreed arrangements for access may be time and purpose limited.

that may affect proposed timing and how these will be communicated

- the types of activities to be conducted on the land during access
- the purpose of access (for example, survey, physical investigation, photographs or works)
- the nature of proposed investigations (for example, soil composition, groundwater, flora, fauna, indigenous sites)
- the specified area or areas of land which are requested to be accessed (if this can be reasonably identified prior to gaining physical access).
- the expected point or points of entry.

10 Explain the processes involved

An electricity transmission company will provide information on the processes and decisions relating to its proposed land access for a greenfield transmission project.

- Provide timely information to help landowners and parties interested in land to understand the opportunities they have to participate in consultation on the project. This information should be provided in addition to the general information listed in principle 2.
- Explain interactions of the access sought with environmental, planning and other relevant government processes.

11 Commit to details on how access will occur

An electricity transmission company will consult with landowners on access details and commit to how access will occur. Where possible, landowners' preferences will be taken into consideration.

- Identify and agree where possible with the landowner the dates, times and expected duration and mode of access.
- Identify key variables that may affect

the proposed details.

- Identify what equipment will be brought onto the land and the purpose it will be used for.
- Identify how many people are expected to enter the land on behalf of the electricity transmission company, and which company or organisation they represent.
- Commit to minimising attendance where possible and appropriate, generally only with those personnel reasonably required to safely perform investigations or works.

12 Give reasonable notice of proposed access

An electricity transmission company will ensure that notice periods and notice content (that is, providing details of activities) are reasonable. These must be proportionate both to the stage of the project, and to the potential impact of access on landowners and parties interested in the land.

An electricity transmission company will establish and publish minimum notice periods for land access.

Where practicable, notice periods and formats should reflect the landowner's preferences.

- Seek agreement on reasonable notice periods for access that reflect land use and related timing requirements (for example, stages of crop growth, animal husbandry).
- Establish a preferred protocol with landowners for providing adequate notice for access requests or changing of access requests (for example, email, phone call or letter).

13 Keep records

In accordance with electricity transmission licences, an electricity transmission company will maintain access-related records of its contact with landowners and parties interested in land for a period of seven years.

- Confirm in writing verbal communications pertaining to the manner of access with the landowner.
- Document all communications regarding land access between electricity transmission company officers and landowners.

14 Maintain confidentiality and respect privacy

An electricity transmission company will ensure that it collects and maintains data strictly in accordance with privacy legislation.

- Make these communications available to the landowner in a timely fashion upon their request.

- Apply privacy principles to access-related information collected. This includes only collecting and dealing with information in accordance with the Australian Privacy Principles.
- Provide individuals with the right to correct their personal information if necessary.

Managing impacts of access	Examples of actions by electricity transmission companies
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15 Minimise impact on land and landowners

An electricity transmission company will take all reasonable measures to minimise the impact of its access on landowners and parties interested in land, and on the land itself.

This reflects the company's statutory obligations in section 93 of the Act to do as little damage as possible, and to make full compensation to the owner and all parties interested in the land for damages they sustain in consequence of the exercise of access powers under section 93 of the Act.

- Cause as little harm, inconvenience and damage as possible to the land, as well as anything living on or growing on the land.
- Remain upon the land only for such a period as is reasonably necessary.
- Remove all plant, machinery, equipment, goods or buildings brought onto, or erected on, the land on completion of access (other than any of those things that the landowner or occupier agrees may be left on the land or which are required for the purpose of the access, such as equipment for animal surveys).
- Leave the land— as close as possible— in the condition in which it was immediately before the land was accessed.

- Use best endeavours to cooperate with the landowner and land occupier.

16 **Meet expected work standards**

An electricity transmission company will ensure that all its activities on the land are undertaken in accordance with all relevant Commonwealth, State and Local Government legislation. These activities are to be conducted in a proper, efficient and effective manner.

17 **Meet requirements for field-based employees and contractors accessing land**

An electricity transmission company will require all persons entering or accessing land on its behalf to provide identification, if requested, on each entry. Such persons are expected to have the relevant skills, training and qualifications to undertake their allocated tasks.

All persons must respect the landowner's privacy, private assets and infrastructure. All gates, fences and grids are to be left as found, unless otherwise advised by the landowner, or where necessary and in accordance with good industry practice.

All reasonable measures to identify, avoid and mitigate risks must be observed, as well as compliance with this statement of expectations.

- Where practicable, ensure vehicles use existing roads, access points, tracks, designated work areas or set-down areas.
- Where not practicable, liaise with landowners to determine the most appropriate paths of entry.
- Use risk mitigation measures. Specific examples such measures are set out in principles 18 to 21.

18 **Implement environmental and biosecurity controls**

An electricity transmission company will take all reasonable actions to ensure that in accessing land, it does not spread weeds, pests or pathogens.

They will consult with landowners to understand property-specific needs (including any relevant biosecurity plans) and will provide details of its own environmental and biosecurity policies and plans on

- Implement systems to check for active biosecurity incidents or outbreaks in an area prior to accessing a property and comply with any statutory limitations on movements arising from such incidents or outbreaks.
- Adopt 'come clean, leave clean' practices.

request.

- Observe biosecurity signage on properties.

19 **Manage fire risks**

An electricity transmission company will take all reasonable measures to identify and mitigate fire risks associated with accessing and using land for transmission and will act in accordance with its own bushfire management plans.

20 **Manage COVID and other health risks**

An electricity transmission company will implement a COVID-safe protocol to cover all aspects of access.

An electricity transmission company will implement such other measures and protocols as are required from time to time under orders issued by the Minister for Health under the Public Health and Wellbeing Act 2008, or as are reasonably requested by a landowner.

Managing complaints and disputes effectively and fairly

Examples

21

Implement effective complaint handling

An electricity transmission company will implement effective complaint-handling processes and standards that meet current Australia and New Zealand standards for complaints handling.

This process is to ensure honest, respectful, and timely responses to issues raised by landowners and parties interested in land affected by its land access.

- Publish clear steps and contacts to follow to escalate complaints, for people who have concerns or are not satisfied with an electricity transmission company's response or actions.
- Such steps may be:
 - Contact the designated land liaison officer (with contact details provided).
 - If not satisfied, escalate concerns to a complaint resolution team (with an email address provided).
If a complaint cannot be resolved following further internal investigation, contact the Energy

22. Offer dispute resolution

An electricity transmission company will offer third party dispute resolution to landowners and parties interested in land affected by its land access.

An electricity transmission company will provide landowners and parties interested in land affected by its land access with details of the Energy and Water Ombudsman Victoria (EWOV) scheme.

An electricity transmission company is encouraged to include provision for third party dispute resolution in its negotiated access agreements.

- EWOV may resolve disputes involving its electricity transmission company members.
- Where statutory access does not meet reasonable expectations under this statement of expectations, landowners and parties interested in land may pursue dispute resolution through EWOV.
- Where a voluntary access agreement is in place, parties should utilise any third party dispute resolution body nominated under their agreement.