

VicGrid

# Land access arrangements

September 2025



We're working to deliver the energy infrastructure Victoria needs to keep the lights on as coal-fired power becomes increasingly unreliable and closes down.

VicGrid is supporting the planning and development of transmission projects that are crucial to securing Victoria's energy future. This includes Marinus Link Stage 1, Western Renewables Link (WRL), Victoria to New South Wales Interconnector West (VNI West), and the transmission infrastructure required for the first 2 GW of offshore wind in Gippsland.

Proper transmission planning considers a range of factors, including existing land use such as farming activities, local environment, cultural values, and landholder impacts.

Access to private property is needed to complete biodiversity and cultural heritage surveys that can help identify potential impacts, areas to avoid and where further investigations are needed.

The following fact sheet has been produced to provide clear information on the ways transmission companies and VicGrid can access land.

The Government is committed to meaningful and respectful engagement with landholders.

Our first priority will be voluntary land access agreements.



## Land Access Arrangements

The new operational framework, introduced in September 2025, supports existing land access powers and is designed to give communities and industry certainty around delivery timelines for transmission. These arrangements bring the delivery of transmission infrastructure in line with other vital major public infrastructure such as water, transport and telecommunications.

Transmission companies have long held powers under section 93 of the Electricity Industry Act 2000 to access land to carry out activities required to maintain and plan for transmission infrastructure, including conducting surveys.

Before transmission companies access land, they must first attempt to gain consent from the landholder by negotiating a land access agreement. Transmission companies must also comply with the Land Access Code of Practice, which is regulated by the Essential Services Commission.

The Land Access Code of Practice requires transmission companies to use genuine efforts to engage landholders, manage biosecurity risks and seek voluntary access wherever possible.

The operational framework to facilitate permitted access under section 93 of the Electricity Industry Act includes written notices, warnings, directions and infringement notices. These are intended to be used as a last resort once all avenues for voluntary access have been exhausted.

### Land Access Agreements

Access to private property is necessary to carry out non-disruptive development activities, such as biodiversity and heritage surveys to properly plan for transmission infrastructure.

Land access agreements between landholders and transmission companies set out how and when access will be provided, aimed at minimising impacts on land and farming activities.

This agreement may also include voluntary benefits such as a participation fee paid to the landholder for allowing access.





## Land Access Pathways

Voluntary agreement for land access is always the priority and extensive engagement with landholders will always occur in efforts to reach this outcome.

Transmission companies have three pathways to facilitate land access:

1. As is the preference, landholders can enter into voluntary access agreements which offer more flexibility to negotiate how and when access will be provided. This agreement may also include voluntary benefits such as a participation fee paid to the landholder for allowing access.
2. Transmission companies can seek access under section 93 of the Electricity Industry Act 2000 (EIA) to enter land, and must comply with the existing safeguards in the Land Access Code of Practice.
3. Should transmission companies continue to be obstructed, hindered or delayed in accessing land, they will be able to follow an operational framework that includes Authorised Officers and compliance with the procedural safeguards and the ability to seek court ordered access.

### Access by Authorised Officers

Authorised Officers are tasked with assisting transmission companies to access land for critical survey, investigation and other planning activities.

The authorised officer powers are an alternative path to enable access once all avenues for agreeing on voluntary access have been exhausted

Authorised Officers must carry identification cards, identify themselves upon request and may issue warnings, directions and infringement notices for hindering, obstructing or delaying access onto land up to a maximum of 4 penalty units (approx. \$800).



# LAND ACCESS ALTERNATE APPROACH

## LAND ACCESS PREFERRED PATHWAY

At any point along the access pathway, landholders can negotiate a voluntary access agreement including voluntary benefits

**Step 1** Transmission company exhausts all efforts to negotiate voluntary access agreement  
In accordance with Land Access Code of Practice

**Step 2** Transmission company issues Notice of Entry – 30 business days in advance  
Including advice Authorised Officers may attend

**Step 3** Transmission company issues Reminder Notice  
– 48 hours prior to entry

**Step 4** Transmission company attempts entry  
with Authorised Officer assistance

## ACCESS BLOCKED

**Step 5** Authorised Officer may issue a warning for refusal, obstruction or delay of entry onto land

**Step 6** Authorised Officer may issue a direction for refusal, obstruction or delay of entry onto land

**Step 7** Authorised Officer may issue an infringement notice for refusal, obstruction or delay of entry onto land  
Up to a maximum of \$800

**Step 8** Authorised Office applies to Court for Entry Order  
Fair notice period and right to object applies  
The court will consider adherence to the Land Access Code of Practice when hearing the application.

**Step 9** Court may grant Entry Order  
The Court may authorise police attendance and use of reasonable force

**Step 10** Transmission company attempts entry  
with Authorised Officer assistance

Court hears offence.  
The maximum penalties of up to 30 penalty units (approx. \$6,100) can only be imposed by a court.

## Access by Authorised Officers

At any point along the access pathway, landholders can negotiate a voluntary access agreement that may include a participation fee paid to the landholder.

Transmission companies must exhaust all genuine efforts to reach a voluntary access agreement.

Authorised Officers may facilitate access by transmission companies or VicGrid to undertake necessary surveys and planning work.

Where an Authorised Officer is facilitating access, a notice of entry must be sent at least 30 business days ahead of the initial entry and notice must be served again at least 48 hours before the first date of proposed entry.

An Authorised Officer must announce themselves on entry, identify themselves upon request, provide a copy of the entry notice to the landholder, and their presence on the land property must be no more disruptive or longer in duration than necessary.

If all required notice provisions have been followed, and if an Authorised Officer reasonably believes a person is hindering, obstructing or delaying land access, the Authorised Officer:

- May issue a warning
- If hindrance, obstruction or delay to land access continues, may issue a direction
- Finally, if hindering, obstructing or delay to land access continues after warnings and directions have been issued, they may issue an infringement notice at a maximum of \$800.

## Court entry order

Where land access has previously been hindered, delayed or obstructed, an Authorised Officer may also apply to the Magistrates' Court for a court order to enable access.

Further fair notice periods, landholder object and minimum timeframes for hearings apply if a court order is sought.

The Court will consider adherence to the Land Access Code of Practice, specifically that the transmission company has exhausted all genuine effort to reach a voluntary access agreement, when hearing an application for an entry order.

A court order may authorise the use of reasonable force to gain entry to land if it is reasonably necessary to do so, and Victoria Police co-attendance.

## Operational Framework Safeguards

Several procedural safeguards are proposed:

- Fair written notice periods (30 business days prior to the initial entry; and again 48 hours prior to entry)
- Requirement for Authorised Officers to announce themselves on entry, identify themselves on request, and provide landholders with a copy of the entry notice.
- Access must be no more disruptive and no longer in duration on the land than is reasonably necessary and prohibits entry into residential premises or buildings.
- The "reasonable excuse" defence also exists in relation to the infringeable offences.

## Biosecurity, everyone's responsibility

Safeguards in the Land Access Code of Practice include the requirement for transmission companies to consider specific landholder feedback on access needs, timing, and property-specific concerns such as biosecurity, health, and cultural heritage.

Provisions in the Land Access Code of Practice work to reduce biosecurity risks through the application of Biosecurity Management Plans, compliant biosecurity signage and visitor consent procedures consistent with "come clean, stay clean, go clean" practices.

## Land Access Code of Practice

The Essential Services Commission's Land Access Code of Practice requires genuine efforts by transmission companies to achieve early engagement and discussions with landholders.

### Transmission companies must:

- Provide clear project information early, including about access options, rights and obligations. This is a crucial stage in the process when landholders can ask questions, provide feedback, and negotiate the terms of any proposed voluntary access agreement, including preferred access dates.
- Consult openly and in good faith, considering landholder feedback on access needs, timing, and property-specific concerns such as biosecurity, health, and cultural heritage.
- Give detailed written information on the land access process including access rights, proposed activities, and alternatives at least 30 business days before first entry, with reminders sent 48 hours before each visit.

**Note:** Emergency access does not require prior engagement but affected parties must be informed afterward

## Contact us



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