

Negotiated agreement vs statutory acquisition

Information for landholders | May 2026

Construction of Marinus Link Stage 1 is due to begin in late 2026, with preparatory works already underway along the cable route.

Our strong preference, with all landholders, is to reach negotiated agreements that are fair, respectful, and reasonable for both individual landholders and Marinus Link Pty Ltd (MLPL). We are fully committed to working constructively, openly, and in good faith with you to reach an agreement. However, now that the project has its primary approvals and is moving closer to construction, we also have a range of obligations we must meet.

To keep the project on track, MLPL will soon begin the statutory process that allows for access to all required easements.

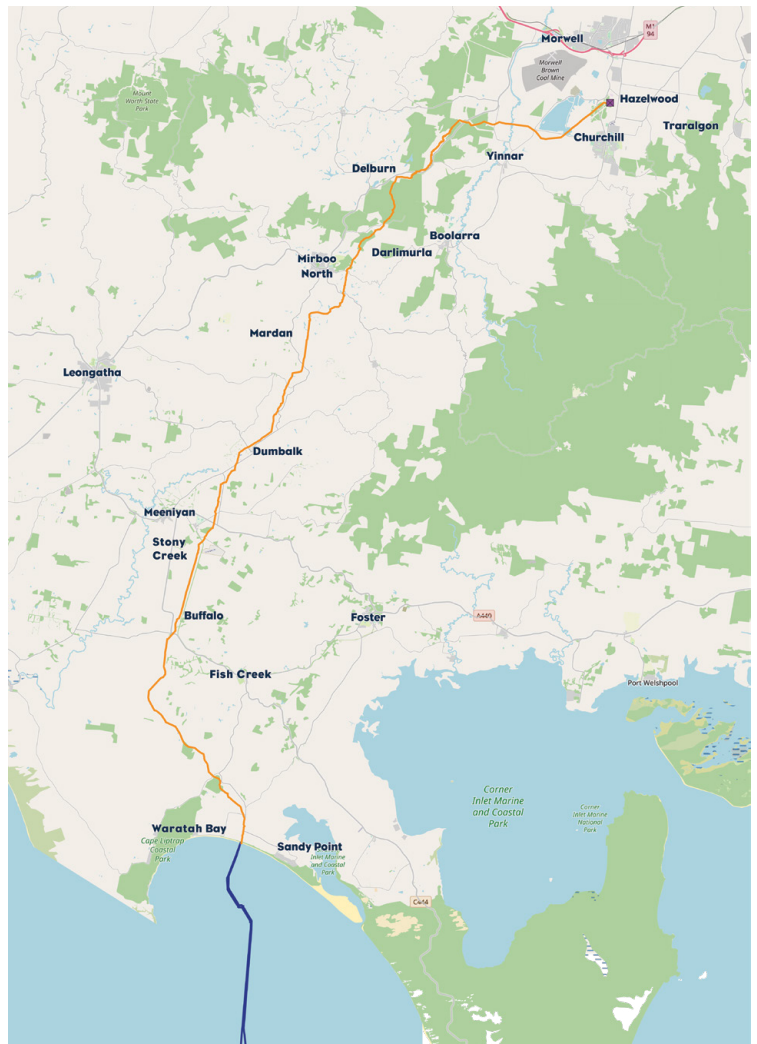
This fact sheet outlines the process for a negotiated agreement and the statutory acquisition process, which will apply if a negotiated outcome cannot be reached.

Our commitment to you



We understand that discussions about land access can be stressful and disruptive. By clarifying the process and timelines, we aim to:

- ◇ **provide certainty and transparency**
- ◇ **avoid surprises**
- ◇ **support informed decision making**
- ◇ **continue working toward fair, negotiated outcomes.**



In Victoria, the project runs for around 87 kilometres (km) from Waratah Bay, through South Gippsland, to Hazelwood in the Latrobe Valley. Along this route, 71 km crosses privately owned land, involving 95 individual landholders (including MLPL), and 15 km across Crown land.

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Negotiated agreement process

Our preference is to reach a negotiated agreement with every landholder. This agreement allows MLPL to acquire an easement on the land required to complete the Marinus Link project.

Through the negotiated process, we will continue to work with you to understand your circumstances, agree on specific elements of the cable alignment and finalise the easement design. This includes discussions on how best to minimise disruptions during and post-construction. By engaging in this process, we can consider a bespoke compensation package and arrangements. We're also happy to discuss any additional payments you may be eligible for, such as the Victorian Transmission Infrastructure Framework (VTIF) hosting payment.

STEP 1: Easement and Lease Option Deed

You have received an Easement and Lease Option Deed (Option Deed) from MLPL. Upon signing, Option Deeds allow Marinus Link to acquire a lease for the initial construction phase and an easement across your land to enable the construction, operation, and maintenance of the transmission infrastructure. Option Deeds include an easement plan that sets out the expected easement location.

STEP 2: Calculating payment

The Option Deed includes an easement payment informed by an independent valuation process, which considers impacts to your property and losses arising from the project. The Option Deed also includes a construction lease payment for temporary construction areas and a professional services payment to assist landholders in obtaining independent professional advice.

In addition, we have applied a premium to the offer based on your specific property.

An easement payment is determined by calculating:

- ◇ **impacts on the market value of your property**
- ◇ **impacts on the use and value of adjoining land**
- ◇ **losses and impacts arising from project-related disturbance.**

If there are any aspects of the compensation package you wish to discuss further, we remain willing to engage in constructive and good-faith negotiations regarding any proposed amendments or adjustments. Our objective is to ensure that the compensation arrangements are fair, reasonable, and mutually acceptable, while maintaining an open and collaborative dialogue throughout the process.

STEP 3: Additional landholder payments

You've recently received information outlining a Victorian Government scheme for private landholders that host new transmission infrastructure.

This may entitle you to be paid an annual payment initially of \$8,000 per kilometre of transmission easement, for 25 years, indexed by CPI.

These payments are in addition to the easement payment and construction lease payment, outlined in the Option Deed.

STEP 4: Property management plans

During negotiations for the Option Deed, our team has been discussing with you the potential impacts of Marinus Link on your property, throughout both the construction and operation phases of the project. These discussions will have included confirming easement fencing, access points, continuation of water supply across the working area, biosecurity requirements, storage of surplus soil and rehabilitation requirements. This detail has been recorded in a Property Management Plan and is attached to the Option Deed.

STEP 5: Exercising the option deed

Following agreement on the terms of the Option Deed, it will be exercised. This will enable Marinus Link to commence pre-construction and construction activities and **trigger 80% of the easement payment and the entire construction lease payment.**

STEP 6: Construction completion

At the completion of construction and following a final survey of the easement area, the easement will be registered on your property title. **At this point, the remaining 20% of the easement payment will be made.**



Statutory acquisition process

When a negotiated agreement cannot be reached, there is a statutory process that sets out how MLPL may acquire private property rights for the required easement. The statutory process for compulsory acquisition is outlined in the *Electricity Industry Act 2000 (Vic)* and the *Land Acquisition and Compensation Act 1986 (Vic)*.



This formal process will commence from late July 2026.

Your legal rights are protected under the statutory process, and you will receive compensation in line with the legislation; however, both parties (MLPL and the landholder) have less control and flexibility than in the negotiated process.

STEP 1: Project approvals

All primary Victorian environment and planning approvals obtained for the Marinus Link project, allowing the commencement of the compulsory acquisition process.

STEP 2: Governor in Council approval and statutory pre-conditions

MLPL submits an application to the Governor in Council to compulsorily acquire an easement on your land. Approval must be obtained, pursuant to the *Electricity Industry Act 2000*, and the requirements under section 5 of the *Land Acquisition and Compensation Act 1986* must be satisfied.

STEP 3: Notice of Intention to Acquire (NOITA)

If approval is granted, MLPL, as the holder of the transmission licence, will serve a Notice of Intention to Acquire (NOITA) in writing on each person with an interest in the land, e.g. landholders and tenants.

NOTE: We will continue to seek negotiated agreements during this time, as this may well represent the best outcome for landholders.

STEP 4: Notice of Acquisition (NOA)

Between two (minimum) and six (maximum) months after serving the NOITA, a Notice of Acquisition (NOA) will be published in the Victorian Government Gazette and a copy sent to all registered owners and tenants within 14 days of publication. The NOA will also be published in a newspaper circulated in the general vicinity of the subject land.

STEP 5: Compensation

An offer of compensation will be made to registered owners and tenants within 14 days of the NOA being published.

This offer will include the certificate of valuation prepared by the appointed valuer in accordance with the *Land Acquisition and Compensation Act 1986*.

Registered owners and tenants must respond to MLPL by providing a notice of acceptance or a notice of claim within three months of the offer being made. If a claim is served, MLPL has two months to reply. This response may include a revised offer, which will remain open for acceptance for a further two months.

If agreement regarding compensation cannot be reached, the matter may be referred to the Victorian Civil and Administrative Tribunal (VCAT) or the Supreme Court of Victoria for determination.

Landholders are still able to receive VTIF hosting payments under a statutory process should they be eligible.

STEP 6: Possession

MLPL is required to give seven days' notice prior to entering into possession of the easement. If the land is used as a principal place of business or residence, MLPL must not take possession earlier than three months after the date of acquisition, unless an agreement is reached with the occupier that allows it to do so.

MLPL may need access to additional land outside of the permanent easement for construction purposes or to gain access to the easement from the public road. We will discuss this with you and attempt to reach an agreement. If agreement cannot be reached, then MLPL may use statutory powers under section 93 of the *Electricity Industry Act 2000* or under Part 9 of the *Land Acquisition and Compensation Act 1986* to secure such access as is reasonably required. Whether access is by mutual agreement or otherwise, MLPL will pay compensation accordingly.

FAQ

How is Marinus Link securing access?

Our clear and longstanding preference is to reach negotiated agreements with landholders.

- ◇ We use option deeds as part of this negotiation process
- ◇ Agreements are negotiated respectfully, openly, and in good faith
- ◇ Every landholding is different, and we recognise individual circumstances.

What's an easement?

Marinus Link is seeking an easement over the area of land where the project route will be built. An easement is not full ownership of the land – it is a legal property right to access and use that area for the construction, operation and maintenance of infrastructure.

Why is a statutory process being mentioned?

Now that the project has its primary approvals and is moving toward construction, we must meet a range of obligations.

As part of responsible project delivery, we will soon need to commence the statutory process that allows land to be acquired only if a negotiated agreement cannot be reached at some point in the future.

This is a standard step for major infrastructure projects at this stage.

Starting this process does not:

- ✗ mean your easement is being compulsorily acquired
- ✗ stop negotiations
- ✗ change our preference for negotiated agreements.

When is this happening?

- ◇ An application for approval for statutory acquisitions is likely to be made around mid 2026
- ◇ Land parcels without a signed option deed by that time will be included in the application. A representative from our Land Team will contact you prior to the inclusion of your property
- ◇ This timing is driven by construction and other requirements.

What does this mean for the negotiated process?

- ◇ Negotiations can continue before or after an application is lodged
- ◇ Reaching a negotiated outcome remains our priority at all stages.

Who can I speak with about this?

We encourage you to stay engaged and speak directly with our Land Access team, or your Land Agent. Our Landholder Information Pack, which has been shared with landholders and is available on our website, also contains details of this process.

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More information

- visit marinuslink.com.au
- email land@marinuslink.com.au