

Compulsory acquisition explained

Fact Sheet

June 2025

Learn about the process if EnergyCo needs to compulsorily acquire your land for a renewable energy transmission project.

What is compulsory acquisition?

Compulsory acquisition is a legal process that enables EnergyCo to acquire interests in land for important renewable energy infrastructure when we are unable to complete the acquisition process by agreement with a landowner. While this process can feel overwhelming, we're committed to working with you every step of the way.

We strongly prefer to reach an agreement with you directly and will work with you for at least 6 months to achieve this.

Compulsory acquisition is only used as a last resort to ensure critical infrastructure projects that benefit NSW communities can proceed on schedule.

We are required to undertake this process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (Just Terms Act).





Opening letter

If you've just received an opening letter, you have at least 6 months to negotiate compensation before compulsory acquisition could begin.

The compulsory acquisition process

The compulsory process gives us more time to reach an agreement, and in most cases, we do. If we need to complete the required acquisition through the compulsory process, the law ensures you are treated fairly and compensated appropriately.

If we haven't reached an agreement after at least six months of negotiation, we'll send you a letter explaining that we intend to start the compulsory acquisition process. This is known as a pre-Proposed Acquisition Notice (pre-PAN) letter.



The compulsory acquisition process

1

You receive a Proposed Acquisition Notice (PAN)

If we haven't reached an agreement 21 days after you receive the pre-PAN letter, you'll receive a formal notice called a Proposed Acquisition Notice (PAN). This starts a minimum 90-day period called the PAN period. You'll continue to have full use and ownership of your property during this time.

We encourage you to:

- continue discussions with us to reach an agreement
- consult with your valuer and legal advisor
- ask questions about anything that's unclear

Starting the compulsory process doesn't mean negotiations stop. Most landowners reach an agreement with us during the 90-day period. We strongly prefer to reach an agreement with you directly.

2

Negotiations continue

During the PAN period, we will continue to seek to resolve the acquisition with you by negotiated agreement.

We will have at least 90 days to reach an agreement. You can still accept our offer at any time during the PAN period. If we reach an agreement in this time, we'll withdraw the PAN and complete the acquisition by way of our agreement.

3

The required property interests are acquired

If an agreement isn't reached before the end of the PAN period, the required interests in your land will be compulsorily acquired:

- an Acquisition Notice will be published in the NSW Government Gazette
- once this is published, we'll have the right to access and use the required easement and/or other required interests on your land.



4

The Valuer General determines compensation

After compulsory acquisition, the NSW Valuer General will independently assess and determine your entitlement to compensation.

The Valuer General's office will contact you directly to explain the process. Compensation is assessed on the same basis under the Just Terms Act, regardless of whether acquisition is by agreement or by compulsory acquisition.

You can submit your view of fair compensation to the Valuer General using the form attached to your PAN.

5

You receive a compensation notice

Following the Valuer General's determination, we'll send you a compensation notice to inform you of the amount of compensation payable for the acquisition as determined by the Valuer General.

If you accept the Valuer General's determination, then payment will be made promptly following your return of the required executed documents to EnergyCo.

6

If you disagree with the compensation

If you don't accept the amount of compensation determined by the Valuer General, you can lodge an objection with the NSW Land and Environment Court.

You need to lodge an objection within 90 days of receiving a compensation notice. If you don't lodge an objection within 90 days of receiving a compensation notice, then the Valuer General's determination is deemed to be accepted.

If you lodge an objection:

- the Court will determine your entitlement to compensation
 - you'll receive 90% of the Valuer General's compensation amount as an advance payment
 - this payment will be made within 28 days after EnergyCo is notified of your objection, while you wait for the court's final decision
- Whatever amount the court determines will be your entitlement for compensation.

About EnergyCo

The Energy Corporation of NSW (EnergyCo) is a statutory authority responsible for leading the delivery of Renewable Energy Zones as part of the NSW Government's Electricity Infrastructure Roadmap.

For information on the New England REZ, please email nerez@energyco.nsw.gov.au or call 1800 061 114.

For information on the Central-West Orana REZ, please email cwo@energyco.nsw.gov.au or call 1800 032 101.

For information on the Hunter Transmission Project, please email htp@energyco.nsw.gov.au or call 1800 645 972.

Contact us

For information about EnergyCo, please visit our website or contact our team.



contact@energyco.nsw.gov.au



1800 118 894 (9am to 5pm,
Monday to Friday)



energyco.nsw.gov.au



If you need help understanding this information, please contact the Translating and Interpreting Service on **131 450** and ask them to call us on **1800 118 894**.

Acquisition support

Acquisition manager

Your acquisition manager is your main point of contact throughout the acquisition process. They are here to help you with all aspects of the acquisition process.

Your acquisition manager can:

- Explain the acquisition process
- Answer your questions about how the project will impact your property
- Discuss your specific concerns about the acquisition

Place manager (personal manager)

A place manager (also called a personal manager) is also available for your personal support at any time during the acquisition process, should you require it. While your acquisition manager focuses on the technical acquisition and procedural aspects of the acquisition, your place manager is available to provide additional personal support tailored to your individual circumstances. Your place manager will help identify any additional personal assistance or support services available to you.

Getting independent advice

We encourage you to obtain advice from a solicitor to help inform your decisions during the acquisition process. We'll compensate you for any reasonable fees associated with these services as part of the agreement.

We appreciate you may want to seek advice from other specialists such as accountants, town planners or surveyors. We recommend speaking to our acquisition team first to confirm if you will receive compensation for these costs.

Legal support

We recommend that you engage a solicitor to assist you during the compulsory acquisition process. If you do not have a solicitor, you may wish to speak to the NSW Law Society who may be able to help you find a solicitor.

NSW Law Society

Visit lawsociety.com.au or call (02) 9926 0300.

Property Acquisition Support Line

The Property Acquisition Support Line provides free and confidential counselling services available 24 hours a day, 7 days a week to support your mental health and wellbeing. Call the Property Acquisition Support Line on 1300 089 551. Find out more about this service, please see nsw.gov.au/housing-and-construction/property-acquisition/support-for-you.