

Strategic Benefit Payments Guidelines

A factsheet for landholders

About the Strategic Benefit Payments Scheme

The NSW Government has committed to transforming NSW's electricity system into one that is affordable, clean and reliable. Landholders who host transmission infrastructure play a critical role in the energy transition. The NSW Government requires transmission operators to make strategic benefit payments (SBP) to eligible private landholders, to ensure landholders share the benefits of the infrastructure they host on their land. Payments must be made in accordance with the Guidelines published by the Minister under the *Electricity Supply Act 1995* (SBP Guidelines). These payments are made in addition to and will not reduce any compensation paid to landholders for transmission easements as required under the *Land Acquisition (Just Terms Compensation) Act 1991*.

Landholder eligibility

You may be eligible for SBP if:

- your land hosts a permanent easement for infrastructure eligible for SBP, and
- you are not a public authority*, and
- in relation to the land, you:
 - own it, or
 - have a perpetual lease, or
 - hold a native title, or
 - hold Aboriginal land right.

* Local Aboriginal Land Councils or a Registered Native Title Bodies Corporate are not public authorities and can be eligible for payments.

Infrastructure eligibility

Appendix A of the SBP Guidelines lists all eligible transmission infrastructure. The Minister for Energy may update this list from time to time.

The eligible infrastructure declared to date includes high-voltage transmission lines from new major transmission projects operated by Transgrid and ACERZ.

Payment timing and administration

Eligible landholders will receive a total of \$200,000 (in 2022 real dollars) per kilometre of transmission infrastructure hosted. Payments will be made in annual instalments over 20 years from the energisation date of the eligible infrastructure, adjusted to the Consumer Price Index. The energisation date is the date the voltage is first applied from an operating part of the transmission network to any part of the Project Section.

Transmission operators must identify and pay eligible landholders each year. Landholder eligibility is initially determined on the energisation date, and on 1 July of each subsequent year. Transmission operators must make the first payment within 90 days of energisation of the eligible infrastructure with future payments due by 30 September in each subsequent financial year.

If land ownership changes during the 20-year period, the person who is the landholder on 1 July in a particular year is eligible for the full sum of the annual instalment for that year.

If you are an eligible landholder, the transmission operator will provide you with a Payment Direction form to complete and submit each year. To receive payment, you must complete and provide the completed Payment Direction annually, in accordance with the instructions on the form.

Payment calculation

Payments are calculated based on the length of the approximate centreline of the transmission line. If the centreline does not traverse the property, payments are calculated by the length of the edge of the permanent easement. Where a property hosts two sets of transmission lines, payments will be made for each line.

The calculation must also be adjusted, such that:

- the first and last payments are prorated to the number of eligible days in the financial year
- the length is rounded up to 100 metres if the length of line hosted is shorter than 100 metres
- late payments accrue interest compounded daily at an annual rate of 4% plus the most recent cash rate
- tenants in common are paid proportionate to their ownership share while joint tenants receive one payment jointly.

Payments following a new native title determination or an Aboriginal land grant

Native title holders and holders of Aboriginal land rights are eligible for SBP. If a native title or Aboriginal land rights claim is determined *after* energisation, the landholder will become eligible when the relevant native title determination is made, or the Aboriginal land rights claim is granted.

- The first payment will be back dated to the energisation date for native title holders or date of ownership transfer for holders of Aboriginal land rights. The first payment will include amounts for each of the years between this date and the date of payment.
- The first payment must be made by 30 September of the financial year after
 - the landholder becomes eligible, or
 - after the Australian Energy Regulator determines an application of revenue adjustments made by a transmission operator; this process supports the operator to arrange funds for back payments.
- Subsequent annual instalments (if applicable) are paid by 30 September of each eligible financial year.

Complaint resolution with transmission operators

If you have a complaint about the administration of the Scheme, please contact the relevant transmission operator in the first instance. The Guidelines require transmission operators to have a formal complaint handling policy. They must comply with this policy to resolve your issue.

If you are dissatisfied with how your complaint has been handled by the operators, you can seek support from the Energy & Water Ombudsman NSW (EWON). EWON will help landholders work towards a resolution. EWON also supports community members to access the most appropriate channels to investigate and resolve disputes, if the issue is better resolved by other entities. EWON also has dedicated resources for First Nations communities.

EWON contact to lodge a complaint:

- Phone: 1800 246 545
- Lodge online: <https://www.ewon.com.au/>
- By mail: Reply Paid 86550, Sydney South NSW 1234.

Other resources

- [Strategic Benefit Payment Guidelines](#)

- [Strategic Benefit Payments Scheme Policy Paper](#)
- [Transgrid website](#)
- ACERZ information can be accessed through [ACCIONA website](#)
- [EnergyCo website](#)
- Translating and Interpreting Service for people who speak languages other than English:
W: nswnational.gov.au P: 131 450

Disclaimer

The information provided in this factsheet serves as a summary of the Strategic Benefit Payment Guidelines for general informational purposes only. In the event of any discrepancies between this factsheet and the Guidelines, the Guidelines shall prevail.