

Neighbour Agreement Guide

April 2026

How to have your say

We're seeking feedback from neighbours and landowners on the Neighbour and Landowner Agreement Guide to ensure it is clear, practical and fair for the Marulan and Brayton community. You can provide feedback by:

- Speaking with our engagement team (one-on-one)
- Sending us an email
- Visiting a pop-up session
- Contacting a member of the Community Reference Group

Your input will help shape the final approach.

Purpose

This draft guide provides an overview of the Neighbour Agreement process for the Marulan Gas Fired Power Project (the **Project**). It outlines eligibility and payment categories that are proposed to be available to eligible neighbours, and how we will work with neighbours to understand the potential for impact(s) related to their property.

Overview

EnergyAustralia is developing the Project on land we own on Canyonleigh Road in Brayton, approximately 12km north-east of Marulan in New South Wales.

The proposed power station project will construct and operate gas-fired generation equipment, alongside associated common infrastructure such as a site access road, a transmission line connecting the facilities to the adjacent TransGrid switchyard, gas supply and storage pipelines, and an option for a water supply pipeline.

Gas plays a vital role in the renewable energy transition and a new, modern energy system. Gas fired generation is flexible and can be turned on or off in a matter of minutes making it a reliable backup for variable renewable generation.

Our proposed power station at Marulan could respond quickly to fluctuations in electricity supply and demand, providing security in supply for large numbers of households and businesses.

The strategic location of our proposed power station at Marulan means energy can be easily and efficiently directed to the major load centre in NSW given the Project's close proximity to the Moomba to Sydney gas pipeline and other existing infrastructure.

The Project has been identified for development since 2009 and been declared Critical State Significant Infrastructure by the NSW Government.

The NSW Minister for Planning and Public Spaces will be the determining authority for the Project. The Project is also a "controlled action" under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, requiring approval by the Commonwealth Minister for the Environment. The Project will be assessed by the accredited assessment process with the NSW government. Approval of the Project is required from both the NSW Minister for Planning and Public Spaces and the Commonwealth Minister for Environment.

An extension provided in October 2024 by the NSW Department of Planning, Housing and Infrastructure (DPHI) grants the Project additional time to late 2026 for the preparation of a Modification Report for the proposed power station.

The Project is working towards submitting a Modification Report as part of a formal approval process under the *NSW Environmental Planning and Assessment Act 1979*. Approval of the modification is required before the Project can proceed.

The Modification Report will seek to address specific aspects of the environment, project and regulatory requirements for the Project.

Further information about the Project is available at www.marulangasfiredpower.com.au.

Acknowledgement

EnergyAustralia acknowledges that the site of the proposed Marulan Gas Fired Power Project is on the traditional Country of the Gundungurra People. We recognise their continued connection to land, waterways and community, and we pay our respects to Elders past and present.

Neighbours and Landowners

Neighbours and landowners are central to the consultation and engagement activities for the proposed Marulan Gas Fired Power Station Project.

Neighbours are private landowners and/or businesses who live or operate in proximity to the proposed infrastructure.

Landowners are private landowners and/or businesses who may host part of the proposed project infrastructure on their property.

Landowners

Under the *Pipelines Act 1967*, land and/or easements can be accessed and acquired for pipeline projects from landowners.

Any landowners who are approached by the Project will be given genuine opportunity to reach an agreement in accordance with the NSW Pipelines Amendment (Miscellaneous) Regulation 2025 under the *Pipelines Act 1967* and aligned with the *Land Acquisition (Just Terms Compensation) Act 1991*.

To increase transparency and consistency, clear guidelines exist in NSW for engaging with landowners to access and acquire land and/or easements for pipeline projects.

1. Authority to Survey Guideline: Engaging with landholders to survey land for a pipeline in NSW, a factsheet for which can be located here:

<https://www.energy.nsw.gov.au/sites/default/files/2025-07/Factsheet-Authority-to-Survey.pdf>

2. Pipelines Compulsory Acquisition Process Guideline: Compulsory acquisition of land for a pipeline in NSW, a factsheet for which can be located here:

<https://www.energy.nsw.gov.au/sites/default/files/2025-07/Factsheet-Compulsory-Acquisition-for-Pipelines.pdf>

The Project will ensure that these guidelines are adhered to for any landowners who are engaged for survey access or if seeking to acquire any interests in land (such as an easement).

Consistent Engagement

Our team are actively listening, preparing information on plausible or predicted impacts which may be relevant for each neighbour or landowner and discussing potential and reasonably feasible mitigation options.

Through one-on-one consultation with neighbours or landowners, our engagement team look to provide people with:

- specific, respectful and frequent opportunities to provide feedback or raise concerns
- information to accurately explain the Project, our planning approach and potential impacts to their properties
- consideration of mitigations for eligible neighbours' properties
- consistent engagement with neighbours and with landowners

Together, we work through ways to seek to help minimise predicted impacts on neighbours through voluntary neighbour agreements for eligible neighbours.

These agreements acknowledge the proximity of neighbours to this critical infrastructure that will help power the State into the future.

Eligible neighbours

Eligible neighbours are private landowners and/or businesses that are assessed in the Modification Report as predicted to be *significantly*¹ impacted by visual and/or noise impacts arising from the Project.

We are committed to working with neighbours who are most affected by the Project.

The Project is committed to early, transparent, respectful and ongoing engagement, ensuring community, stakeholder and neighbour feedback meaningfully informs project design, assessment and decision-making, consistent with the NSW Undertaking Engagement Guidelines for State Significant Developments (March 2024).

As the Project progresses, the neighbour engagement team will seek to communicate with eligible neighbours in writing to advise of eligibility for a Neighbour Agreement.

Note 1: *Significant* impacts may include predicted highly-intrusive noise during evenings and/or night time, or high visual impacts arising from the constructed infrastructure relative to an eligible neighbour's dwelling and/or accommodation business.

Supporting neighbours

To support eligible neighbours through the voluntary Neighbour Agreement process, EnergyAustralia will also encourage neighbours to engage third party professional advice (with prior approval required from the Project as to the reimbursement of any proposed legal or other professional fees) to assist in developing a fair, reasonable and practical agreement.

Both eligible and non-eligible neighbours may experience the Project's feasibility, construction and operations phases differently and we acknowledge there can be a lot to consider.

The majority of project impacts are likely to occur should the Project be approved and move into the construction phase.

We recognise that the feasibility phase can create anxiety as neighbours consider how the Project may affect the enjoyment of their property and/or business operations. We will seek to provide a health and wellbeing payment to support eligible neighbours during the feasibility period, as part of the neighbour agreement process.

The neighbour agreement process can help assist in managing uncertainty by providing clear financial and physical supports during different phases of the Project.

Marulan Gas Fired Power Station

Construction can take several years. Potential impacts can include construction noise, increased traffic movements, dust, vibration, changes to visual amenity, the proximity of temporary construction features like temporary workers' accommodation or equipment laydown areas, or permanent changes like road upgrades and new project access points.

Other supports may also be available to eligible neighbours to provide alternative accommodation or temporary relocation away from the construction area, business sustainability or for general wellbeing.

Some impacts can also be considered as positive. Construction can also deliver new or upgraded roads and other community facilities. Through this process, we would welcome feedback on what these options might be with the Marulan community, who will host this important energy asset for the State.

Longer term, when the Project moves into the operations phase, there may be residual impacts.

The Project may change the visual landscape for some neighbours and during some periods of operation, there may be noise. Traffic volumes will also significantly decrease post-construction.

Working to minimise, manage and mitigate impacts

Helping to minimise, manage and mitigate impacts is our ongoing commitment.

When we invite eligible neighbours to form a voluntary agreement, we make sure we are doing everything we can to help minimise, manage or mitigate impacts of the Project in other ways.

We actively invest in our construction planning to ensure it delivers the best sequence of works while helping minimise the impacts. We find best practice methods to help minimise impacts at the source through changes to different construction activities. We will seek to work with neighbours to help find suitable mitigations to their properties and personal circumstances.

Neighbour Agreement payment summary

The following payments are proposed to be offered to eligible neighbours who sign a Neighbour Agreement and paid as a lump sum or reimbursed prior to the Project's Financial Investment Decision (FID) is to proceed and once a Neighbour Agreement is executed by all parties:

- **Signing Milestone** payment
- **Health & Wellbeing** payment
- Reimbursement of reasonable **legal and other professional fees**

The following would be paid **after** FID:

- **Project Approval** payment
- **Health & Wellbeing** support

Eligible neighbours **may** be further considered for additional payments associated with:

- Alternative accommodation / temporary relocation assistance
- Property alterations / maintenance

- Business support (if applicable)

Additional payments for eligible neighbours would be reimbursed after the Project's FID decision is to proceed and once the relevant Neighbour Agreement is executed by all parties.

The neighbour team will discuss eligibility for any additional payments that may be available as the Project progresses.

Businesses who are eligible for any additional payments associated with business support as a result of the Project must be evidenced through validated financial and/or operational records.

Neighbour Agreement process

As the Project progresses, the neighbour engagement team will seek to communicate with eligible neighbours in writing to advise of eligibility for a Neighbour Agreement.

Any such correspondence to eligible neighbours will also include the template Neighbour Agreement for voluntary review, as well as the most up-to-date Neighbour Agreement Guide.

The neighbour engagement team will then seek to meet with neighbours on an individual basis and to outline the Neighbour Agreement process and advise of the predicted visual and/or noise impacts that may be experienced as a result of the Project. During such meetings the neighbour engagement team will provide eligible neighbours with a summary of proposed payments, support and mitigations that a neighbour may be eligible for regarding visual/and or noise impacts. This information will be provided to eligible neighbours in writing.

We may request access to neighbour's property to ensure that the payments, mitigations and supports are fair and reasonable.

We may request information from neighbours including, but not limited to:

- pre-existing business plans
- business records (financial and operational)

We will seek to ensure that:

- All correspondence and discussions are conducted in good faith between eligible neighbours and the Project.
- Provides a transparent, equitable, fair and consistent process for entering into a Neighbour Agreement.
- Facilitates reasonable and equitable support and mitigations for eligible neighbours.
- All information and records will be documented and recorded in accordance with EnergyAustralia's confidentiality procedures.

Voluntary participation and confidentiality

Participation in the Project's Neighbour Agreement process is voluntary and subject to eligibility. Neighbours can participate in confidential discussions at any stage up to the end of the construction of the Project, without an obligation to sign a Neighbour Agreement.

In addition to the Project website, community information sessions and drop-by discussions at upcoming events, our team is continuing to directly engage with neighbours and landowners.

This direct engagement means there is time to listen and understand the possible impacts to neighbours, landowners and their properties and activities. Direct engagement also allows our team to present options that are relevant to individual property owners to consider and seek additional evidence. Then, EnergyAustralia and neighbours can work through mitigations and support plans that are fair and reasonable.

Seeking advice

We encourage you to consider the information available on the Project website and request any further clarifications you may require from the neighbour engagement team.

FAQ's

Why does the Neighbour Agreement Guide exist?

When infrastructure is hosted on a landowner's property there are clear guidelines and regulations for landowner agreements, that include mitigation arrangements or compensation. The Project is proposed on land we own which is adjacent or in proximity to neighbours. Therefore, where neighbours may experience impacts from the construction or operation of the Project, we would recognise this impact and seek to mitigate or compensate eligible neighbours who are private landowners.

The Neighbour Agreement process and this Neighbour Agreement Guide have been informed by engagement with the community and neighbours and developed consistently with best-practice process and approach in other major infrastructure projects across Australia.

Our Neighbour Agreements seek to help manage uncertainty by providing financial and physical support during the Project.

How will I know if I am an eligible neighbour?

Dependent on the Project's progression, the neighbour engagement team will directly contact eligible neighbours to advise of their eligibility for a Neighbour Agreement. The neighbour engagement team will also advise non-eligible neighbours in writing of their non-eligibility for a Neighbour Agreement.

How do I get legal fees reimbursed?

Reimbursement of reasonable legal fees is subject to eligible neighbour's nominated legal representative providing the Project with a quotation for proposed services and the subsequent agreement of a costs cap.

Will Neighbour Agreements vary between eligible neighbours?

There may be variation between Neighbour Agreements, relative to any predicted impact(s) that an eligible neighbour may experience, as assessed within the technical assessments of the Modification Report. There may be some payments that are fixed for all eligible neighbours, for example, a sign-on fee.

Do private landowners include businesses or private companies?

Private landowners include individual persons, private companies, businesses, or trusts.

Are public landowners or tenants eligible for a Neighbour Agreement?

Public landowners or tenants will not be eligible for a Neighbour Agreement.

Who will Neighbour Agreement payments be provided to?

Any payments from a Neighbour Agreement will be paid to the current registered proprietor(s) of the property.

Community engagement

Engagement for the Project, including with neighbours, is guided by the Undertaking Engagement Guidelines for State Significant Projects and is informed by key industry and government standards, including:

- **Energy Charter** – Our Better Practice Engagement Principles and Landholder & Community Better Practice Engagement Guide
- **Australian Energy Infrastructure Commissioner** – 2022 Community Engagement Recommendations
- **Engagement Institute** – Principles and Quality Assurance Standard for Community and Stakeholder Engagement
- **NSW Guidelines** – Social Impact Assessment Guideline; Engaging with Aboriginal Communities Practice Notes; and the Aboriginal cultural heritage assessment guideline

Find out more

We are available to discuss this guide and answer your questions.

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