



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 6 – TRANSPORT

## MEDIA RELEASE

# PARLIAMENTARY COMMITTEE CALLS FOR CHANGES TO COMPULSORY LAND ACQUISITION PROCESS

### FOR IMMEDIATE RELEASE

10 August 2022

The Legislative Council's Portfolio Committee No. 6 – Transport today handed down its report on the acquisition of land in relation to major transport projects.

Ms Abigail Boyd MLC, Chair of the Committee said, 'The NSW Government has undertaken an unprecedented number of transport infrastructure projects in recent years. While public infrastructure is necessary to ensure the needs of New South Wales residents are met, this intensity of infrastructure pipeline has brought to the fore the systemic issues being experienced by property owners subject to land acquisition by government entities.'

Ms Boyd continued, 'The committee received extensive evidence from residents, business owners and legal representatives who were angry and dismayed by the refusal of statutory authorities to negotiate in good faith. The lack of transparency, questionable valuation practices and excessive time delays have left property owners unable to move forward with their lives, often resulting in their displacement from their communities and support networks.'

The Chair continued: 'With few avenues for recourse, owners are forced to spend tens of thousands of dollars in trying to obtain a reasonable price for their property while experiencing massive upheaval to their lives. The current application of the *Land Acquisition (Just Terms Compensation) Act 1991* is weighted too heavily in favour of acquiring authorities and this power imbalance must be rectified.'

Among other significant reforms, the committee recommends the introduction of a 'reinstatement' approach to calculating the value of compensation, the discontinuation of the use of non-disclosure agreements, a review of the solatium payments and hardship acquisitions, and an independent review into land acquisition in relation to each of the major transport projects that were examined in the inquiry.

'Together with an independent review of existing projects, there is a need for a continuous review process to be implemented to ensure that in the future acquiring authorities are complying with legislative frameworks, with those reviews measuring and reporting on the experiences of people subjected to the acquisition process', Ms Boyd said.

Among the committee's recommendations, the committee has called for an investigation into the workings of the office of the Valuer General NSW, given delays experienced by property owners waiting for determinations, and an inquiry into issues surrounding Sydney Science Park.

Information about the inquiry, including the committee's report, is available on the committee's website: <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2698>



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*For further information, please contact the Committee Chair, Ms Abigail Boyd MLC, on (02) 9230 3676.*