

**INQUIRY INTO IMPACT OF THE CBD AND SOUTH EAST
LIGHT RAIL PROJECT**

Name: Name suppressed

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Partially
Confidential

I have been a resident of Surry Hills for the past 14 years and was an owner in the compulsorily acquired Olivia Gardens building. As a member of the Surry Hills community, under the Freedom of Information Act, we asked for but were denied access to the business case that would possibly justify the enormous (and now tripled) expense and disruption the Light Rail would cause to our neighbourhood. To date, we have no access to the business case that puts light on why this route was chosen and the pay back model for this investment. In terms of just compensation for owners along the route, the Olivia Gardens residents had fought a prolonged and highly distressful battle for just compensation for their properties. Some of the issues and complaints highlighted in writing to Transport for NSW at the time of the acquisition:

1. Four weeks before the gazetted acquisition date, 76% of the owners were without a settlement and 56% of owners were without a verbal or, written agreement. Based on publicly available information at the time, this is an unprecedentedly low agreement rate.
2. Claim processing and negotiations were un-duly slow, as Transport for NSW had appointed 1 valuer to work the entire building and negotiate with 6 or 7 valuers engaged across the more than 60 owners.
3. Offers were generally 20-30% below market rates, greatly distressing owners.
4. Common complaints from owners were that compensation items highlighted by the Act as justly claimable, were continuously debated or, dismissed by the departmental staff based on personal judgements rather than staff adhering to terms of the act, distressing owners further.
5. Many owners reported receiving well under market rates of compensation, whereby they could not afford to re-purchase a similar home in Surry Hills and hence had to leave the neighbourhood. This was especially greatly distressing to single elderly people who had all their amenities and social and support networks within Surry Hills.
6. In 2017 Transport for NSW decided to provide extra retrospective compensation to owners of properties it had previously acquired (across Sydney, not just Surry Hills) but had only included owners who were owner occupiers and excluded owners who had owned properties as investments. An un-just treatment and division between owners, given that investor owners were not compensated in the first instance for their time and effort lost in the acquisition and re-purchase process, whilst owner occupiers had been compensated under the act for inconvenience experienced under the acquisition process. To date, owners of investment properties remain uncompensated for any inconvenience, time and effort spent on the acquisition process. Due to inadequate compensation, some owners have lost income and had to take up extra loans to replace their properties.
7. The intent of the Just Terms Act is that owners are appropriately compensated for the value of their properties, expenses and inconvenience caused by a compulsory acquisition. This was by and large not the experience of the owners of Olivia Gardens.