

**Submission
No 18**

**INQUIRY INTO ACQUISITION OF LAND IN RELATION TO
MAJOR TRANSPORT PROJECTS**

Name: Mr Andrew Fryc

Date Received: 2 April 2021

Friday, 2 April 2021

Parramatta Light Rail Stage 1 Acquisition

On Sept 28th 2018 my commercial freehold property at Westmead including complete business fit-out was compulsorily acquired through gazettal with ownership transferred to the NSW government.

The calculation of the 'fair compensation' figure for the fit-out expense was determined by the Valuer General's appointed valuer Mr Gregory Jones.

He accepted the independent valuation determined by my quantity surveyor Stuart McConkey from Rider, Levett, & Bucknall who estimated the cost to replace my business fit-out at \$236,000 with 10% GST added the amount rounded to \$260,000.

I was shocked to say the least when informed of Mr Jones's determination for fit-out at \$130,000, half the agreed valuation amount.

His objectionable justification for why I only deserved that amount was that I should find premises already fitted out thereby saving on cost.

I was not asking for any more than the agreed amount of fair compensation for the REPLACEMENT of what was forcibly taken from us by the NSW Liberal Government.

After initial promises in May 2017 from representatives of Transport NSW that I would be fairly compensated for any loss incurred it appears not to be the case regarding business fit-out.

Any reasonable person would fail to see how offering half of an actual loss could be justified and fall within the spirit of the *Land Acquisition (Just Terms Compensation) Act 1991*.

Frankly its unjust! The determination is biased in favour of the NSW government to reduce our just compensation.

Furthermore, another unfair outcome was the refusal by the Valuer General to compensate our claim for the stamp duty, determining I am a 'passive' and not 'active' investor regarding my property.

I do not rely on rent from the property (passive investor). I have worked as a podiatrist in my clinic premises since it the beginning, (ie; active investor).

P.S. I was finally successful in an 'out of court settlement' for the stamp duty payment refund

Kind regards,

Andrew Fryc

Westmead