

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

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This is our submission against the proposed green zones, and the proper payment to us for our property in Bringelly,

The government departments saying our property is still in its original natural state.

That is a straight out lie!

Our property known as Bringelly part of the Kelvin Park development.

Kelvin Park was cleared of all scrub lands and most trees whilst it was being prepared for the subdivisions into 5acre lots, hobby farms.

This estate looked similar to the new airport site does today, with earth moving machines all over it, smoothing out the contours and installing easements etc.

Back then I worked for the defence dept and frequented the Bringelly road, going from The Munitions Factory St Marys via Luddenham road. Then onto The Northern road, Bringelly road then onto Holsworthy Defence Establishment. It was then I saw the land developments in progress and took interest in the area. In 1985 my father died, after finalising his estate I was in a position to buy land and came straight to Kelvin Park. It had already been finished and sold. I was lucky to find known then as LOT23 for sale as the original owner was forced to sell.

Medich Properties PTY LTD registered the subdivisions and easements under DP712840.

Registered 13 May 1985.

This property being quoted on the notice of valuation "LOT 23 DP712840. Subject to easement to drain water 20 wide."

Firstly I'm going to address the Land valuations and its seemingly planned reduction to coincide with the RMS acquisition of part of our property. Some are missing from this sequence but if I look harder I may find them. I purchased the land in 1988.

01/07/94 \$155,000. 2 hectares

01/07/00 \$297,000. 2 hectares

01/07/02 \$390,000. 2 hectares

01/07/05 \$734,000. 2 hectares

01/07/08 \$662,000. 2 hectares

01/07/11 \$530,000. 2 hectares

01/07/14 \$562,000. 2 hectares

RMS land acquisition reduction from 2 hectares to 1.641.

01/07/14 \$550,000. 1.641 hectares after 20% reduction?

01/07/19 \$1,970,000. 1.641 hectares

WHILST STILL LOW FOR 4 ACRES IN THE SYDNEY BASIN. It's closer after the 01/07/05 valuation, In my opinion systematic reductions took place in preparation for the FORCED LAND ACQUISITION!.

GREEN ZONE and the fallacy of the drains on this property are natural.

I literally have dozens of photo's that show a total lack of trees on this property and that the drainage easement that runs along the northern fence was man-made.



*Figure 2 Year 1989*



*Figure 1 Year 2021*

Here is a photo of the man-made easement on the northern boundary this was taken in 1989, the second photo is how it looks today.

Due to soil erosion and that fact being noted by the Liverpool council, as a result of the council weeds inspector. Doing his annual rounds, the council took very basic action to stop the erosion. The council had a machine to scrape up and recontour/deposit rubble on the southern bank to stop the erosion. The council told us to plant lots trees along the banks, we planted she oaks, gums Everything you see today is a result of our planting and leaving it to become a little place of our nature.

The old drain in the front was also man made, that was made by the RTA back in the day to remove water from the Bringelly road corridor. That drain was mostly filled in on properties both to the west and east of my property. In around the 1980's Sydney had a number of big heavy rain events and as I was told temporary drainage was installed. Pipes were installed under Bringelly road as water would cross the road surface. Then as it was replaced by the new diversion up the back. I chose to leave what remained as a water catchment from the house gutters. This was to give a reasonable supply to the trees mostly that WE PLANTED!. It was a planned water feature. The over flow spills into the



*Figure 4 Buried She oak*



*Figure 3 Vee Drain*



vee drain on the road side and goes under the neighbours driveway via pipes. This vee drain is in use today by the RMS to take the gutter water away.

In the front obsolete drain there has always been a partly exposed but lying on its side large she oak. It was pushed over and buried in the original land clearing Then partially exposed for the temporary front drain by the RTA to get the road water away. Just this shows physical proof the land had earth works prior to the obsolete drain being made. At both ends there was a few she oaks, with a couple along its length.

I have taken photos from the past with todays equivalents. Date estimations are based on events and or the age of my children in those photos.



*Figure 6 Year 1989*



*Figure 5 Year 2021*

There are still no trees on the rear of my property looking east but north of the tree screen we created along the old now obsolete drain, and in the easement at the rear of the property. There is now 1 small peppercorn we planted in the middle of that grassed area as seen in the photo.



*Figure 8 Year 2000*



*Figure 7 Year 2021*





Figure 12 Looking up driveway from front corner of house 1989



Figure 11 Year 2021



Figure 10 Looking west up Bringelly Road 1993



Figure 9 Year 2021



Figure 14 Standing in front drain year 2000



Figure 13 Year 2021





*Figure 16 Year 1989*



*Figure 15 Year 2021*



*Figure 17 Year 2021*



*Figure 19 Year 1989*



*Figure 18 Year 2021*

Whilst I understand progress means things do not stay as they were. Claiming our property as a green zone can only be looked on with disbelief as 75-80% of the trees in the obsolete drain and about the same in the 20wide easement on the northern fence line will be removed. The obsolete drain will no doubt be filled in totally and pipes will be laid in the vee drain. Along the 20 wide easement this will be cleared out and widened, then it will be lined with concrete, usually in a big storm water culvert like this it will have centre supports made with pre-cast walls and the result in multiple square corridors spanning the entire 20 metres. Both ends of now bridge for the 4 lane road will have further earth works as in large rocks held by wire mesh to help stop erosion.

The road corridor to be zoned as green zone is a fairy tale you tell others, when you are trying to avoid paying the lands real value.

### Environmental Space Around Airports

I've worked around defence establishments, my father was also an engineer for both the civil aviation dept and the defence dept. I know one thing in regards to the need to avoid attracting bird life any where near airports and planes. IT'S A NO GO!

Millions of dollars around the world, is spent chasing and removing birds from around airports. That includes trees, standing water like dams, food sources like fruit trees, long seeding grass and covering over waterways like creeks. Spraying to remove insects is another process that is undertaken to discourage bird life.

What does the public really want?

One needs to consider if a government is trying to acquire land through bulling and deception, with its ability to rezone, rate out and artificially supress land with the Valuer General dropping valuations. With the ability to influence the courts and be seen to be doing deals with big developers and large land holders. I'm of the opinion it will only cause a growing distrust of any government. Those who remember back, both / all sides of the political spectrum are potentially guilty of the practices mentioned above. You will discover the public will swing further to the right.

I've also heard that what the NSW state government is doing by acquiring lands at reduced costs to themselves, is potentially in conflict with UN and human rights conventions.

This anger and distrust of the government is only creating a larger group to take a class action against the government.

If the public in general does not want to pay the right price for those lands to be acquired. Then does the public really want or need any of this including the airport, as tens of thousands will be affected with noise, air and water pollution.

In Regards To A Fair Result For All.

Before Land values get to far out of the reach of the government. One would of thought that, the government drew a line around the area calling it the Areotropolis. That area should be acquired by the government all at one time. If the government was to pay 1 million per acer to the land holders regardless of where it was in the Areotropolis area. The government would not loose out at all.

Those areas in more valuable areas would compensate for the lessor areas. This option is now lost because current owners now know what's planned and those land values have already jumped up in some cases 200-300%.

Green zones are and always will be traded for credits, as it stands land developers offset other areas to allow denser areas in developments.

The answer from the government is, " we cannot afford to buy all this land at once".

Bullshit is my reply.

Land developers will be lining up to acquire lands as soon as it becomes available, and at auction the real values will be realised.

If the government cannot afford or refuse to pay the correct values of land, on the day of acquisition then it should remove itself from the equation and let the public determine its future with free enterprise. The market will decide the value of the lands.

In my opinion the current government in this case as it stands is definitely not conservative or capitalist, its progressive left and restrictive. With the desire to profit from its voters with malfeasance.

Once bitten.

Back in about 2014 the RMS started procedures in negotiations as they called it, it was anything but.

1/ The RMS tried to tell us we had to sell them the whole property.

2/ The RMS told us they didn't want the house and that it was not to be taken into the consideration of the property's overall value.

3/ The RMS did do a valuation on the house and off the cuff said, its not worth much.

4/ The RMS laughed when I said I will only let them take what they needed for the U-turn bay.

5/ The RMS relented on taking the whole property they said we would not get much.

6/ The RMS insisted on making the new front fence to be only about 10 metres from the front door.

7/ The RMS said the 5 acres with the house was only worth 1.2million.

8/ once the RMS agreed they would only require 1acre they told us the offer will be final, not negotiable.

9/ The RMS said that they will press for us to pay legal costs if we choose to contest their offer.

10 The RMS bullied us into agreeing with the offer.

Our replies

1/ we insisted no you the (RMS) can only have what you need.

2/ I said the house must be included, and the remittance should be able to build a new home the same (they laughed). That's if they were going to force us out.

3/ The home valuation was an insult and I said you will not be getting the house.



4/ We insisted no you can only take the fence back enough to include the vee drain. (Final result as we demanded).

5/ The final monies paid was still in my opinion 50% less than what we should of received for 1acre. With what we received for 1acre we should have had enough to buy a house on a building block in Oran park. We could not even buy a block of land in Oran Park.

6/ Electricity, telephone, and town water are available in our location.

7/ I told the RMS I would trade this 1acre for 1acre in the area, they laughed and said no chance of that.

8/ I refused every offer and with the final offer I reluctantly accepted as we were kept being reminded the RMS would make it not worth our while because they would make sure the money would be used up in legal expenses.

Our experience with the RMS was hostile harrowing and horrific!

It had us arguing constantly, both my wife and I were stressed, worried sick and in a state of anxiety verging on depression. Our children were struggling and we felt like giving up. It nearly destroyed our marriage. The entire family felt like giving up. The entire extended family tried to help but until your in this situation with no hope of getting a rightful outcome. Nobody truly understands how it feels. This is a tactic the RMS has mastered in its years of forcing out residents in its way.

To this I will add dealing with the RMS during the building of the U-turn was no different. If we wanted to make a complaint we were treated with contempt, disregard and disrespect. The RMS and State government can treat this sentence as a complaint of the highest order.

Our entire dealing with the RMS on this entire sordid affair was disgusting verging on domestic terrorism! I'm not joking.

Back when I purchased this property in 1988. I knew that in 25-30 years the development plans for the area would proceed. I made a conscious decision then that this will be our superannuation. Now just when its about to mature the state government has ensured that we cannot sell or do anything with our land. We are trapped with the dark looming cloud of not being able to move into a similar property or having enough for our retirement. They the state government are willing to take away our lifestyle, retirement and kids inheritance.

How is this Australian, fair equal treatment for all. There is no doubt in my mind this situation should be criminal. As its probably not all those involved in how this procedure is applied should be considered criminals. This includes everybody from the ministers to the planners.

I will mention when I bought this property there was only the 20 wide easement that affected the property in 1988. I applied for finance in 1999 for a franchise, there was a long delay in getting the deeds released from my original bank. Only after I payed that mortgage out some years later did I find out that a road had been marked up on the deeds. This road was

We are not greedy nor are we driven by money. What and how we are is, we expect to be paid the correct monies for our life's work. Just in the past week a 5acre property Kelvin Park road just up the back from us, was just listed for 13million dollars. In my eyes that's telling us we should expect nothing less than 10.5million for my remaining 4acres.

Today whilst I'm writing this we are experiencing a major prolonged rain event.

Final statement.

We are opposed to the zoning of any area that reduces the land in question of its real value.

It's immoral and deceitful with total disregard for those hard working families who built this parkland area for the real benefit of everybody in the state. Only to have it taken away and destroyed in the name of progress and the possible environmental benefit that it may create. By means of force sale and under payment.

Your very disappointed and not trusting of the government!

M.McGrath and family