

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

Name: Name suppressed

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Partially
Confidential

Re Acquisitions

My property was compulsorily acquired for the South West Rail link in 2010.

At first the Government wanted to acquire all of my property. Governments valuers didn't take into account the future potential of the properties. The properties were inside Proposed Leppington Town Centre within the South West Growth centres. The State Environmental Planning Policy(SEPP) was gazetted in 2006. There were extensive planning and publications and news articles showing where the Leppington Town centre was going to be placed.

2/3 of my property (and many other properties were in the same boat) was acquired when only a small portion was required. Residents begged the Transport dept and Planning Dept to leave us the excess land and just take the corridor as the price we were being paid we could not replace our properties and the future potential had not been taken into consideration.

When the valuations were being done we spoke to the valuers and transport about the SEPP and the location of the Leppington Town Centre and the planning. Their comments were " we dont know if the town centre is going to be there as there has not been enough planning done. It could move. Its going to be 30 years and nothing will happen" Anything not to pay us the right money. The valuers I believe are given a budget to work on and they twist and turn and in the end they come up with what they are told to value the property at. We were intimidated and lied to and purposely undervalued and all aspects of compensation in the Just Terms were not taken into account. The Leppington Town Centre location has NOT moved since 2005 when the first Growth Centres maps came out. Our properties were valued on properties without the same future potential, kilometers away and different suburbs but high sales were never used. Always the lower sales as comparable to value the properties.

I gave evidence about this and a lot more at the Parliamentary Enquiry into the Valuer General Dept(Transcripts available from Gov sites) There were discrepancies with the valuations uncovered at the enquiry. The VG was asked to explain which he did. Matt Kean sent me the response from the VG before it was made public and asked me to go over the VG's response and write down what was questionable, which I did. I gave this to Matt Kean who had said he would question the VG (at the next Parliamentary Inquiry meeting) about the replies which I thought were wrong and false Nothing happened. No questions no compensation to landowners after the discrepancy was uncovered.

As a result of the evidence my friend and myself gave the Russell Review came about. The Parliamentary committee had said the whole acquisitions process was flawed.

The government under Mike Baird and Domenic Perrittet hid the review. They didn't want to release it as acquisitions for WestConnex were underway and this would make the Westconnex more expensive. Landowners again were being undervalued and having to move out of the area completely as they couldn't replace what they had. Properties were being valued not on like for like properties but inferior properties. With lots of pressure from the opposition, media and property owners, the Russell Review was released. There were many recommendations in the Russell review but hardly any were taken up by Government.

Why have a review if you are not taking up the recommendations to compensate landowners fairly for their properties? Valuers and Depts hide under the JUST TERMS COMPENSATION ACT which is LAW, but when its time to apply it they dont. There should be a law in place - if valuers or persons inside Government Depts, deliberately devalue or hide information about properties earmarked for acquisitions or intimidate property owners, then they should be charged with fraud

as they are using deception to deprive landowners and businesses of money or possessions. No one should be worse off after an acquisition and should be able to purchase a property like for like. No one should have more land taken from them than what is required for the project. It doesn't matter what Party is in government, nothing will change unless the staff acquiring the properties, the valuers and the solicitors don't change their tactics. They would rather spend money on solicitors than compensate fairly. There are many property owners who don't have the funds to take government to court. Costs will be in the hundreds of thousands, and even if the case ends up in court and property owners win the case they will still be out of pocket by over 20% of their costs.

All these reviews. Parliamentary Inquiry in Valuer General. Westconnex Inquiry, All A waste of time and money. Now this Inquiry!!!! I hope this one isn't going to be a waste or money too. I hope things will change for the better. I don't with an acquisition on my worst enemy. The family breakdowns, the stress, health, hiding my tears from my family, crying, sleepless nights wondering where to go and if you will have enough money when you know you have to move and can't move into the same area. I myself was seeing a psychologist while my acquisition was ongoing and for a very long time after. Even today after 11 years, I breakdown when I see property owners upset that their properties are going to be acquired and undervalued.

Re: Value Capture. Properties are rezoned as government has to provide housing and infrastructure to its residents.

The Government rezones land. Landowners purchased properties for either to market garden, live or for investments for things like their superannuation.

Landowners worked hard all their lives for their benefit and their children's inheritance.

When properties are rezoned then there are massive rate hikes. Property owners cannot sell as rezoning and infrastructure (eg Water and sewer) won't be in place for years. Then they have to move uprooting themselves and their families. If property owners are going to be taxed and taxed no one will sell.

I have had this conversation with other landowners and real estate agents and all of them agree that this will kill the economy, property market, push housing prices up as there will be a shortfall in houses built. I myself will not sell.

I have had 3.5 acres of land Compulsorily acquired when only 1 acre was required. I am left with 1.5 acres. Yes, the value of the area I have left has risen in value but, so have all other properties in the whole of Australia. The Government has 2.5 acres left which has also risen in value. The government will sell the excess and make a massive profit when this is sold off. The sale of the excess land will pay for the acquisition, and the government will still make a massive profit (That's the value captured on my property acquisition. Then I am required to pay Value Tax, Capital gains, Holding costs (as rates triple) on the rest of my property?)

Why discriminate on the residents of that are being rezoned or other areas where infrastructure is being put in place? Why not all areas? Their property values have increased as well over the years? This is not fair and are discriminating against the Western Suburbs. If the Government wants to destroy the economy, then this is a good way to do it as no one will sell as there is no incentives to sell and move.

If the government puts Value capture in place is the Government also going to compensate property owners who's property values will drops because of the infrastructure the government builds and the rezoning? It should work both ways not just take take take.

As I have stated before. I hope this enquiry will NOT be a waste of Tax payers money. I hope the acquisition process if going to be changed. Recommendations from Russell review taken up. Valuers and Government staff jailed for fraud if they deliberately devalue or hide information about properties to be acquired. The future potential of land to be taken into consideration. All Steps re Just terms to be taken up and all sections of compensation is to used properly to give the landowner a proper valuation.