

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

**Name:** Name suppressed

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Partially  
Confidential

Forced Land Acquisitions – the issues that need to be fixed before Infrastructure Projects can go ahead. Without change new Infrastructure in NSW is to the benefit of society but comes at huge cost to the individual land owner. Failures in the current legislation also create major barriers to timely delivery of infrastructure as the impacted have no choice than to attempt to reject the projects outright to avoid economic disadvantage caused under inadequate Legislation governing fair compensation. This is particularly so in cases of blight that are currently no compensated for at all.

- Reinstatement – there should be a special payment/adjustment to allow those effected to be able to buy back into the general area they have been removed from – businesses are given allowances to do this – private home owners should be similarly compensated.

- Separation of valuing and acquisition process from the Acquiring Authority to prevent very obvious conflict of interest.

- Affordable and accessible review / appeals process – Ombudsman.

- Remove capital gains tax from forced acquisitions.

- Equal rights for those facing long and short term acquisitions – if the Govt. places a gazetted corridor over your property then they must be willing to start the Forced Acquisition process at the request of the land owner – Land Owners must not have a Governmentally imposed burden over their properties without access to compensation.

- Include an amendment to the current legislation to give ALL parties a RIGHT to negotiate in good faith as is done as part of land negotiations under the Native Title Act – this system has a proven track record under Land Rights legislation and should be available to all citizens facing Governmental Land Dealings.

. Blight needs to be considered for compensation - blight constitutes a major barrier to acceptance of new infrastructure by the wider community. If people can be fairly compensated for blight there will be less impetus for communities to reject new projects.

. Rezoning that blights land in the same way as a corridor might also need to be compensated by this sort of legislation. Currently Government can skirt around applying a corridor by rezoning the area in question instead. This means those impacted have no access to the rights afforded to them under the Land Acquisition act. In Sydney large areas around the airport have been rezoned parkland rendering the land virtually valueless but those impacted have no immediate access to compensation rendering them locked in on their land waiting years for the Govt to forcibly Acquire the land while at the same time lowering the ultimate value of the land - this advantages Govt but destroys the economic welfare of the individual land owner.