

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

Name: Name suppressed

Date Received: 9 May 2022

Partially
Confidential

My property was compulsorily acquired for the South West Rail Link in 2010. I had a 5 acre property. The properties were to be acquired in 2008 but the Labour Party withdrew the acquisitions at the last minute although the VG had already done a valuation on the properties affected although we never saw the valuations. When we were notified of the acquisitions we found letters in the letterbox marked "to the resident"

There were a few properties which had no houses and a few which were leased. I contacted the landowners and they were shocked when I told them our properties were affected.

The proposed railway line was to run through Denham Court at the time.

This was somehow rerouted onto other properties even though the Conneybreare Morrison report done on the preferred alignment stated it was not the preferred option.

The railway was to be built to service the South West Growth Centre. The South West Growth Centre was gazetted in 2006 showing the properties on Byron Rd Leppington falling in the middle of the proposed Leppington Town Centre which was the major centre to service the whole South West Growth Centre.

In approx 2007 We were contacted by staff in the acquiring dept which is now known as the Land and Property Information (LPI)

Staff from the LPI came out to our properties with their so called independent valuers. The staff from the LPI kept saying in front of the Valuer " Nothing is going to happen here for 30 years as the government doesn't have any money."

This put doubt into the valuer and the properties were valued very low. We could not replace what we had if we had taken the offer. The whole properties were to be acquired but we had to fight to keep the front of the properties. The railway line ran the width of the properties, which only required 1 acre, We asked that the part which was required for the line be acquired and the rest of the land left to the landowners. We were given excuse after excuse and were told they government cannot leave land which was landlocked. We were told if we found access we could have the excess land. We did find access but the neighbour wanted to be paid for the access. A few days before the acquisition in 2010 we contacted the acquiring body and told them we have found access and if they were 100% sure we could have the excess land. We were told no. This was just a land grab.

The properties at Leppington at the time of the acquisitions in 2010 had been released in 2009 but were to be rezoned in 2012. The planning was in the process. I believe there was extensive planning hidden by the LPI and Planning Dept.

How would they know where a town centre was going to be if there weren't extensive planning?

In 2010 the LPI didn't update the valuations to reflect the release. They just sent out the old valuations done 2 years before.

After complaining, the valuations were updated but still didn't reflect the true value. We could have sold the properties on the open market for a much higher price than what we were offered.

The valuations didn't reflect the future zoning and the properties which were used as comparables were at the end of the Global Financial Crisis

Landcom a government dept purchased land at Edmondson Park in the Town centre and paid \$300 per square metre while we were offered around \$72. Our independent valuer valued the properties at \$300 per square meter then reduced the value to reflect the time frame of a developer purchasing to land bank.

Excuses used by LIP staff were. "Oh the town centre could be moved" But the gazettal was gazetted in 2006 for the Sw growth centre, which showed the location of the town centre. "We don't know what is going to be on your property" .

Residents were intimidated into accepting offers before the VG. LPI staff were calling residents telling them they could get less after the VG comes and they should take the offer. Residents were not paid for solatium, not paid for a lot of things mentioned in the Just terms. There were a lot of elderly residents who didn't want the stress of going to court and the hefty legal bills which they couldn't afford, There were residents told by valuers " you don't need a big house like this". One resident had a pizza oven where she made her bread, She was told. You don't need this.

IN JUST TERMS you should NOT BE WORSE off than when the acquisition started.

I didn't take the offer and when the property was to be valued by the VG in 2010 for the compulsory acquisition the VG never came to the properties to talk to the landowners. At an enquiry into the valuer general's dept it was uncovered the VG did a cut and paste job from the 2008 valuation onto the 2010 valuations. At the inquiry the VG was asked to report why this happened. The VG came back with a report and excuses BUT the VG didn't follow their own guidelines on how valuations should be done.

I sent Matt Kean the reasons why the VG was wrong and Matt Kean had told me to put everything in writing and then at the next meeting he would question the VG. I took the report to Matt Kean and then next time the VG was to be questioned I and another landowner turned up to see what the VG had to say. Matt Kean looked at me and said what are you doing here. I sat at the inquiry but the VG was not questioned. The situation was brushed under the carpet.

I filed in court and the LPI obtained the services of Lunney and Watts, valued the property at \$63 per square meter. The first valuer was low then the VG came up a little and then valuation valued the properties very low.

I have seen a pattern of other acquisitions on properties where the same thing has happened. And was the same valuer. I strongly believe this is to intimidate the landowner into talking the offer.

I went to mediation and had sent the valuation to my valuer in a completely different format so the mediator could not read the report in time. The mediator didn't even attempt to read it on the day and just said tell me a bit about the case. A few sentences were said and then the mediators said see if you can come to an agreement. The mediator didn't try to help at all and listen to the case and advise. The whole Land and Environment court procedure was a complete waste of time and money.

We were promised an enquiry into the valuations and into the changing of the railway line. A meeting was held with Chris Patterson the now MP for Camden. The Federal Liberal Member for our Area. Greg Pearce and many landowners. Greg Pearce listened to the landowners and then said there needed to be an inquiry. He told everyone in the room that he was going to go to Barry O'Farrell and if they won the election at that time if he would approve the Inquiry.

We were called back to the meeting after a week or so. Greg Pearce said "Barry O'Farrell has approved the Inquiry in tot he changing of the railway line and the acquisitions and to help the liberal party to get in. The liberal party won the election but the Inquiry never went ahead.

There needs to be parliamentary enquiry into acquisitions. There are too many acquisitions being compulsorily acquired and not by negotiation. Please DO NOT look at the fact that not many go to court. People are scared to take the government to court as the government has an open check book and property owners don't.

I sincerely believe that the LPI valuers are not independent and are given a budget to work with.

Any residents who are outspoken are the ones that are targeted by the LPI staff.

One resident was told if they don't take the offer that they LPI staff would make him spend so much money they would send him broke or make him die of a heart attack.

LPI staff lie to residents in the beginning promising landowners would be paid the future potential of the properties just so landowners believe then. In the end it's a different story.

I truly believe the Valuers are given budgets to work on but the Just Terms doesn't say they have to stick to a budget.

How can the LPI be independent when all the valuers work for them doing valuations for rating purposes.

If they value properties high for valuations I am of the belief they do not get as much work.

I believe the valuers are advocates for the LPI. They look after the hand that feeds them.