

Approach to property acquisition in New South Wales



FACT SHEET

NSW

Approach to property acquisition

This fact sheet outlines the property acquisition approach that Australian Rail Track Corporation (ARTC) will follow for Inland Rail in New South Wales (NSW). Property acquisition processes in NSW are guided by state legislation and separate processes and legislation apply for property acquisition in other states.

This information is a guide only and should not be treated as legal or commercial advice.

How will land be acquired for Inland Rail?

ARTC operates and manages the NSW Interstate and Hunter Valley rail networks under a lease granted to it by Transport for NSW (TfNSW). From time to time, ARTC may require additional land, which does not currently form part of this lease to facilitate rail infrastructure projects. It is intended the NSW section of Inland Rail will form part of the area covered by the lease.

TfNSW will conduct land acquisitions for Inland Rail. TfNSW is authorised by the Transport Administration Act 1988 to carry out acquisitions by both agreement and compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 (Just Terms Act).

TfNSW and ARTC have entered into an Inland Rail Acquisition Protocol Deed. This deed appoints ARTC as TfNSW's representative to undertake land acquisition negotiations for Inland Rail.

It is TfNSW's preference to acquire land by negotiated agreement. However, the compulsory acquisition process may be required in order to meet construction access timeframes.

When will the land acquisition process start?

The acquisition process starts when ARTC is certain about what land is required for the final rail corridor. This will be based on the corridor design and the amount of land ARTC requires to construct, operate and maintain it.

What happens if you are affected by property acquisition?

If your property is identified for proposed acquisition, a representative from ARTC acting as TfNSW's representative will contact you. The representative will arrange a meeting to discuss the process in more detail and address any questions you may have.

How will I be compensated?

If your land is to be acquired for Inland Rail, you will be entitled to claim compensation for the loss of the legal interest you hold in that property. Compensation is determined in accordance with section 55 of the Just Terms Act – regardless of whether the land is acquired by agreement or by compulsory process. Compensation will normally include payment for the market value of the property and reimbursement of disturbance items (e.g. for costs reasonably incurred by the landowner such as legal and valuation fees). Other types of compensation may also be applicable depending upon the circumstances.

Centre for Property Acquisition

For more information about the land acquisition process in NSW and compensation, please refer to the NSW Government's Centre for Property Acquisition website at propertyacquisition.nsw.gov.au

How will I be assisted through the process?

TfNSW will provide a dedicated acquisition support team to help guide landowners through the process. The team will provide landowners with practical advice and assistance to suit individual circumstances. The acquisition support team will generally include a personal manager and an acquisition manager.

Want to know more?

ARTC and Inland Rail value your input as we work with state and local governments, landowners and communities to determine the Inland Rail alignment. If you have any questions or comments about the land acquisition approach for Inland Rail, please let us know.



Want to know more?

ARTC is committed to working with landowners, communities, state and local governments as a vital part of our planning and consultation work, and we value your input. If you have any questions or comments about this fact sheet, please let us know.

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ARTC

The Australian Government is delivering Inland Rail through the Australian Rail Track Corporation (ARTC), in partnership with the private sector.



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