

FAQs

For landowners in confirmed future transport links



How do I know if I am affected?

Transport for NSW has been in contact with landowners affected by the recommended and confirmed future transport links. Landowner engagement has been ongoing since March 2018. We will stay in touch with landowners as transport projects are developed in coming years and before the acquisition process commences.

If you have any concerns about your property's location in relation to a confirmed future transport links you can either search your property on planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address or contact the Corridor Preservation team for more information.

What has been confirmed?

The NSW Government has confirmed the alignments of the future North South Rail Line, South West Rail Link Extension and Western Sydney Freight Line (Stage 1).

After reviewing community feedback received on the North South Rail Line, South West Rail Link Extension and Western Sydney Freight Line corridors between March and June 2018, Transport for NSW has worked hard to minimise impacts to privately owned land by using state owned land where possible.

When will my land be acquired?

There is no need for Transport for NSW to acquire land until close to the time the transport infrastructure is required, which could, in most cases, be years or decades away. In the meantime landowners can continue to live in and use their land.

How will I know when my land is needed for acquisition?

You will be contacted directly by Transport for NSW (the acquiring agency) when your land is required for acquisition. To find out more about how property acquisition is undertaken by NSW Government acquiring agencies visit the NSW Government's property acquisition website propertyacquisition.nsw.gov.au

Will affected land be rezoned?

Land within confirmed future transport links will be re-zoned to a 'special purpose' zone SP2 Infrastructure – Reserved Infrastructure Corridor and new planning controls will apply. This is to ensure that new development does not affect the operation of transport infrastructure required in the future. For some landowners, rezoning will be for part of their property, while for others, it will be for all of their property. Details of land and property impacts have been made available directly to all affected landowners. The change of zoning will also be identified in property title searches, including on planning certificates issued under section 149 of the *Environmental Planning and Assessment Act 1979*.

Will I be able to develop my property or land?

For any development application, landowners would still apply to the same consent authority as before and it would be up to them to refer relevant applications on to Transport for NSW.

Previously permissible development activity within the protected corridors will continue to be allowed but will now be subject to the following additional conditions:

- (a) the consent authority will need to refer any development proposed with a capital investment value of over \$200,000 to Transport for NSW for additional review. When reviewing, Transport for NSW will consider:
 - i. the need to carry out the proposed development
 - ii. the timing of carrying out the proposed development in relation to the proposed timing for constructing infrastructure within the future transport corridor
 - iii. the potential additional extra costs to the delivery of the intended infrastructure due to the proposed development; and

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- (b) the development will need to be consistent with the aims of the State Environmental Planning Policy (Infrastructure) 2007 (SEPP). These aims include establishing planning controls for the land:
- i. to allow the ongoing use and development of the land until it is needed for the future infrastructure corridor; and
 - ii. to protect the land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future.

Consent authorities will also need to refer to Transport for NSW any development proposal that involves the penetration/excavation of ground to a depth of at least two metres below the existing ground level on land:

- within, below or above the future infrastructure corridors; or
- within 25 metres (measured horizontally) of the future infrastructure corridor (measured either above or at ground level or below if the infrastructure corridor is underground).

Transport for NSW will assess these developments based on the potential impacts on the future transport infrastructure use and what measures can be taken to minimise such impacts.

Will subdivision of land be allowed?

Further subdivision of land within the confirmed transport links will not be allowed. Changes, however, to property boundaries, such as minor boundary realignments that do not create or include an additional lot within and next to the protected future transport link will still be permitted with development consent.

Will land next to a confirmed transport link be affected?

There will be no immediate impact on the current use of land next to a confirmed transport link and existing land uses can continue.

New land use planning controls will, however, apply to manage future development of land around a confirmed transport link. This could include, for example, limiting noise-sensitive land uses around confirmed land to protect the operational integrity of a future motorway or rail line.

Consent authorities will also need to refer to Transport for NSW any development proposal that involves the penetration/excavation of ground to a depth of at least two metres below the existing ground level on land within 25 metres (measured horizontally) of a confirmed transport link (measured either above or at ground level or below if the infrastructure corridor is underground).

Transport for NSW will assess development proposals on the potential impacts on the future transport infrastructure use and what measures can be taken to minimise any such impacts.

How will land be acquired?

Acquisition of any land would be under the revised and improved NSW land acquisition process that was introduced in 2017 following a comprehensive review of property acquisition activities in NSW. These reforms are designed to make the acquisition process fairer, more transparent and with a focus on the needs of property owners.

The acquisition process is governed by the *Land Acquisition (Just Terms Compensation) Act 1991*.

For more information on the acquisition process visit the NSW Government's property acquisition website www.propertyacquisition.nsw.gov.au

I am only partially affected. Will you acquire all or only part of my land?

Details of land and property impacts have been made available directly to all affected landowners. In some cases only part of the land may be required but the whole of the land will be acquired. In other cases only part of the land will be acquired. Transport for NSW will have more detailed discussions with landowners closer to the time land is required for acquisition.

Will there be any support for affected landowners?

Transport for NSW will provide affected landowners with a Personal Manager and an Acquisition Manager. There is no cost to the landowner for this support.

The Personal Manager will act as the primary point of contact for the landowner and Transport for NSW agencies, including the corridor preservation team, the acquisition team, and future transport project team. It may take years or decades before land is required for a transport project. We acknowledge that this may impact landowners' short and long term planning and property decisions.

Early engagement and ongoing support from the Personal Manager will assist landowners in having a clear understanding of the acquisition process and the options available to them. This will ensure landowners make informed decisions, tailored to their unique circumstances. For more information on the role of the Personal Manager visit propertyacquisition.nsw.gov.au/personal-manager

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What if I need to sell my land now?

Landowners have the opportunity under the *Land Acquisition (Just Terms Compensation) Act 1991* to apply for early acquisition, before the land is required for a future transport project.

To apply for early acquisition, landowners must be able to show that they would suffer 'hardship' (as that term is defined in the Act) if the acquisition of their land is delayed.

Eligible landowners may choose to start this process at any time once the future transport link, which contains their land, has been confirmed.

What qualifies as hardship?

Examples of hardship include where the owner is unable to sell the land, or sell it at market value due to the designation of the land for acquisition purposes, or needs to sell the land for pressing personal, domestic or social reasons or to avoid a loss of income.

For more information on early acquisition please view the 'Owner-initiated acquisition in cases of hardship' fact sheet at propertyacquisition.nsw.gov.au/hardship-fact-sheet

Will I be informed of changes to the confirmed future transport links?

Transport for NSW will keep all affected landowners informed of any changes to the confirmed transport links that may affect their property or land impact. Landowners will also be advised when the property acquisition process is about to commence.

How can I get more information?

Transport for NSW Corridor Preservation team will provide community updates as required in both print and digital formats. If you would like to register for community updates please contact the Corridor Preservation team.

Who do I contact for more information?

The Corridor Preservation team can be contacted as below:

Write: Corridor Investigation Office
Transport for NSW
PO BOX K659
Haymarket NSW 1240

Email: corridors@transport.nsw.gov.au

Call: 1800 837 511

Further future transport links in Western Sydney and landowner information is available on Transport for NSW website transport.nsw.gov.au/corridors

We speak your language

Translation services are available through the Translating and Interpreting Service (TIS National) on **131 450**. Alternatively, you may call the Transport for NSW Corridor Preservation team on **1800 837 511** for assistance.