

# Common questions about property acquisition



## Fact sheet

The North East Link Project (NELP) has been working hard to minimise acquisition of private property. However, because there is not an existing road reserve, some private land will be required.

This fact sheet has answers to some of the common questions people have asked about acquisition.

### When will I know if my property has been acquired?

Since 2017 we've been in touch with potentially affected property owners, tenants, and businesses. NELP has a team of experienced case managers that have been assigned to work with the property owners, residents and business owners whose properties would need to be acquired based on the current reference design.

The formal acquisition process cannot start until the project has obtained the necessary planning approvals, currently expected in late 2019. NELP will contact owners and tenants again to confirm property acquisitions following planning approvals.

If you think your property could be affected, please contact us on 1800 105 105 and ask to speak to a property specialist.

### Can I choose to remain at my property?

If the property you own or occupy is compulsorily acquired you will need to vacate the property. When the formal acquisition process commences, residents and businesses will be informed of the likely date that they will need to vacate. Affected landowners, tenants, and businesses will be fairly compensated and will be provided a reasonable period of time to vacate the property.

### What legislation applies?

The Land Acquisition and Compensation Act 1986 is the legislation that would apply.

### Will anyone need to enter my property before acquisition?

We may need to access your property to establish survey boundaries or to inspect your property to inform the valuation. This would not need to happen before planning approval has been granted in late 2019.

### I'm concerned my property may be required or impacted, but haven't been contacted by North East Link - what does this mean?

The NELP landowner engagement team has attempted to contact all potentially affected property owners, residents, and businesses. If you own or occupy a property that you think may be affected and we haven't made contact with you, please contact us on 1800 105 105 and ask to speak to a property specialist.

*If you are concerned or have more questions, please contact us on 1800 105 105 and ask to speak with a **property specialist**.*

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## I operate a business, what are my rights?

If a business you own occupies a property that has been identified as required for North East Link, then your interest will be acquired under the Land Acquisition and Compensation Act 1986. You will have rights to claim compensation for costs associated with relocating your business under the Act. If you would like more information please contact us.

We understand that this is a challenging time for affected businesses and we are actively engaging with them to understand their needs and provide support and assistance where possible. We are working with local councils to identify potential areas that may present opportunities for businesses to relocate.

A Bulleen Business Liaison Group has recently been set up to work with businesses on their specific issues and help provide information through the planning and approvals process. A North East Link hub is open in the industrial estate at 7A Kim Close, Bulleen to provide regular opportunities for businesses operators and workers in the area to discuss the project.

We are aware that businesses want to retain staff and remain close to their customers. We will continue to liaise with business owners and local government to help assess viable relocation options and support business owners and staff to get prepared for relocation.

## Are there different types of property acquisition?

Yes. Because North East Link will include tunnels and surface construction, there will be two types of property acquisition. Properties required for surface works can be fully or partially acquired: this means a part of your property or all of it could be acquired.

If your property is above a tunnel there would be below ground acquisition, called underground strata acquisition. In this case the property at surface level is not required for North East Link and existing land use is not affected.

## What if my property is above a tunnel?

Based on the current reference design, it is likely that around 250 properties could be above the tunnels, but this number is subject to change based on the final design.

Following planning approvals and a final design from the appointed builder, we will be in a better position to speak with people who we expect would be above the tunnels.

We will continue to work with property owners to make sure they are well informed about the project including changes to the planning scheme, the land acquisition process, and their rights to claim compensation through the Land Acquisition and Compensation Act 1986.

The tunnels will likely be more than 15m deep below the surface. Thousands of people live on top of tunnels in Australia – there is little to no affect for people living and working above road and rail tunnels.

## How can I be sure I'm getting a fair deal for my property?

If your property is acquired, compensation offers are based on valuations prepared by accredited and independent valuers experienced in compulsory acquisition. You will also be able to engage your own certified property valuer. Valuations are based on unaffected market value (I.e. a 'no project' scenario).

If there are differences between the government valuation and your valuation, a valuers' conference will be held to discuss the reasons for the difference in an attempt to agree on the value of the property.

## What happens if we can't agree on compensation?

The matter may be referred (by either you or NELP) to the Victorian Civil and Administrative Tribunal (VCAT) or the Supreme Court for resolution in accordance with the Land Acquisition and Compensation Act 1986. In most cases negotiated agreement is reached and a Tribunal or Court determination is infrequently required.

## We've been planning to renovate/redevelop. Should we go ahead?

Compensation is based on the market value of your property at the time of acquisition and recognises the value of improvements and renovations you have made to your property. Similarly, the value of a well-maintained property is recognised in the compensation.

Until the formal acquisition process begins, you are free to act on your plans. Please contact NELP if you have any concerns or proposals that you would like to discuss on 1800 105 105.



*If you are concerned or have any questions about acquisition, please contact us on **1800 105 105** and ask to speak with a **property specialist**.*

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## Contact us

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