

NORTH EAST LINK

COMMON QUESTIONS ABOUT PROPERTY ACQUISITION

North East Link Authority is committed to minimise acquisition of private property. However, because there is not an existing road reserve it is likely some private land will be required to build North East Link.

This factsheet has some of the questions people commonly have about acquisition.

What legislation applies?

The Land Acquisition and Compensation Act 1986 (LACA) is the legislation which would apply.

When will we know which properties would be acquired?

NELA may not know exactly which properties may be required until early to mid-2018. However, as soon there is some certainty of the properties potentially required, we will make direct contact with you.

I received a letter saying my property may be required or impacted by North East Link. What does this mean?

NELA has identified some properties which may be required to construct North East Link. We've attempted to contact these residents and businesses in order to notify them of potential impacts. It is important to understand that this is not a formal acquisition letter. The formal acquisition process won't begin until planning approval has been granted, which may be mid to late 2019.

I haven't been contacted or sent a letter about North East Link. What does this mean?

If you believe a property you own or occupy might be affected by North East Link please contact us with your details so that we can keep you informed throughout the design and planning phases. If your property is near the North East Link corridor you should have received a newsletter.

Please visit the NELA website for a copy of all the latest news and publications about North East Link.

Can I choose to keep my property?

If your property is identified as being required for the delivery of North East Link and the project receives planning approval, your property will be compulsorily acquired. It is not optional.

Will anyone need to enter my property before acquisition?

We would need access to your property for establishing survey boundaries or to inspect your property for valuation. This would not happen before areas of acquisition have been determined and planning approval has been granted.



Will my property be affected?

Individuals can be reassured that, if your property is potentially required to build North East Link you will be:

- contacted directly
- allocated an experienced case manager from our property team
- able to talk with your case manager at any time.

If you are concerned or have more questions, please contact us on 1800 941 191 and ask to speak with a property specialist.

I operate a business – what are my rights?

Every business is unique so compensation for businesses is determined on an individual basis. Business disturbance losses, removal costs and other costs like stamp duty and conveyancing costs for a replacement property may be paid, but circumstances vary and it is important that you discuss options with NELA and your legal advisors.

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 at surface (above ground) 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.

How can I be sure I'm getting a fair deal?

NELA will reimburse reasonable costs if you engage your own legal advisor or other relevant professional advisors (such as a valuer). Offers are based on valuations prepared by accredited and independent valuers experienced in compulsory acquisition. If there are differences between the government valuation and yours, a valuers' conference will be held to negotiate and agree on the value of your property.

Are there other aspects of compensation?

Yes. Once planning approval is granted, some of the most common aspects are:

- **The need to sell before North East Link acquisition process has commenced.** If the potential sale price of your property may be affected Loss on Sale Compensation may be available. If you are considering claim Loss on Sale Compensation you must contact us at least 60 days before the proposed date of sale.
- **You are refused a planning permit.** If you are refused a planning permit to develop your land because of North East Link compensation may be payable. Conditions apply and you should discuss any potential claims of this nature with us.

What happens if we can't agree on compensation?

The matter may be referred (by either you or NELA) to the Victorian Civil and Administrative Tribunal or the Supreme Court for resolution in accordance with the LACA.

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 NELA if you have any concerns or proposals that you would like to discuss.

Timing of notification about potential acquisition

NELA is unlikely to know exactly which properties may be required for the project until early to mid-2018. We understand people are concerned now and that uncertainty is upsetting. Potentially affected people will be contacted as soon as possible, but if you're concerned please contact us.

Please contact us if you are concerned



If you have any questions or are concerned in any way please contact NELA on 1800 941 191 at any time and ask to speak with the property team.

Contact us

@ community@northeastlink.vic.gov.au
1800 941 191
North East Link Authority
GPO Box 4509, Melbourne VIC 3001

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