

# Is your property affected by a compulsory acquisition proposal? Let us help you get the compensation you deserve

We help landowners and tenants who are affected by government compulsory land acquisition recover maximum compensation. We have specialist expertise in compulsory acquisition compensation law and valuation principle. Our expert lawyers have acted in some of the largest compulsory acquisition compensation claims ever to have been brought in NSW. We specialise in complex and high value compulsory acquisition compensation claims.

## FREE CONSULTATION

Contact us for a free phone consultation with a specialist compulsory acquisition compensation lawyer

## COSTS

In most cases, the acquiring authority will be responsible to pay the legal and valuation costs of the affected landowner or tenant

# WALL & WILLIAMS

LAWYERS



Phone:

**02 9703 6296**



Email:

**admin@wallwilliams.com.au**



Website:

**wallwilliams.com.au**

## Who is entitled to compensation?

Landowners, tenants and others who have an interest in land which is acquired, extinguished or diminished by a compulsory acquisition are entitled to be compensated under the Land Acquisition (Just Terms Compensation) Act 1991.

It is important to ensure that each person's interest in the land is formalised well before the acquisition takes place, so that each person or entity can claim compensation.

Sometimes the acquiring authority will use a technicality to avoid paying compensation on the basis that the entity or person who suffered the loss did not have a compensable interest in the land. This might occur, for example, where a family business operates on the land informally and the land is in personal ownership.

We can help ensure that the correct arrangements are in place.

## What compensation may I be entitled to?

Compensation is not limited to the value of the land or interest acquired. Depending on your circumstances, you may also be entitled to compensation for:

- injurious affection (decrease in value to other land which adjoins or which is severed from the acquired land);
- special value (financial value peculiar to the owner that exceeds the market value);
- disturbance losses (including legal fees, valuation costs, stamp duty costs, relocation costs and various other financial losses); and
- disadvantage resulting from relocation.

It is important to ensure that any market value compensation is determined on the basis of the correct assumptions, including as to the development potential of the land absent the public purpose of the acquisition. If the wrong assumptions are applied, the acquired land or interest may be undervalued.

## What should I do if I am contacted by the acquiring authority?

If your property is affected, it is important that you obtain legal advice and representation as soon as possible from a specialist compulsory acquisition compensation lawyer. Many landowners and interest holders are not fully aware of their entitlements and end up being short changed or making concessions which hurt their claim.



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