

## Site visit to Orchard Hills

On Wednesday 19 May 2021, Portfolio Committee No 6 visited Orchard Hills, to learn more about the acquisition of land for the proposed Sydney Metro station and rail line, as part of the Western Sydney Airport rail link.

The committee inspected the land where the proposed Metro station is to be built as well as land to be acquired for stabling yards and holding/storage areas during construction.

The committee also met with impacted residents to learn about the process and conduct to date of Sydney Metro in acquiring land for the project. During this discussion, impacted residents raised the following issues:

### **Unfair compensation provided under the Land Acquisition (Just Terms Compensation) Act 1991**

- 1.1 Section 55 of the *Land Acquisition (Just Terms Compensation) Act 1991* outlines the process for the determination of compensation to persons whose land is acquired. Currently, under the Act 'the market value of the land on the date of its acquisition' must be taken into account when determining the amount of compensation a person is entitled to.
- 1.2 According to residents, negotiations to date with Sydney Metro regarding compensation have not been just or fair. Compensation offered for land by Sydney Metro is well below market value and does not take into account recent rising property prices in the area.
- 1.3 Residents argued that the Act should be amended so as to allow fairer valuations and compensation by incorporating current market values. Based on current valuations, residents of Orchard Hills are unable to buy similar properties in the area with the compensation currently being offered.
- 1.4 In addition, compensation under the Act does not take into account the emotional upheaval acquisitions can cause.
- 1.5 It was noted that neighbouring areas have experienced an uplift in property prices and market value as a result of the airport and metro line, yet this has not extended or been reflected in the valuations for the residents of Orchard Hills whose land is being acquired.

### **Lack of information and transparency about the project**

- 1.6 Residents contended that there has been inadequate justification and information provided by Sydney Metro regarding the project, with a lack of clarity and transparency in particular as to why so much land is required. Residents questioned whether scale of land being acquired was fair, given some was taken for 'future expansion'.
- 1.7 Of great concern to residents was the sheer scale of the land to be taken for what Sydney Metro has described as 'construction, storage and landing areas'. Given this, some residents questioned why the land could not be leased instead.

- 1.8 Further concerns were raised about the design of the metro rail link and the land acquired, with residents claiming Sydney Metro were purposely acquiring good parcels of land from residents and leaving residents with substandard land in return. Attempts have been made by the residents to extend the rail tunnel or move it further inland, with cost analysis, in order to save and/or minimise the number of properties acquired, to no avail.
- 1.9 Changes in the alignment of the metro rail link has added to the lack of clarity and information available about the project, as demonstrated by the mixed advice provided by Sydney Metro to residents about tunneling for the rail line, location of station, station commuter car park etc.
- 1.10 Better communication by Sydney Metro with impacted communities is required, with residents concerned that Sydney Metro representatives were rude, abrupt at times, seemed 'heartless' and lacked empathy for such a significant disruption to these communities.
- 1.11 Also, residents expressed the view that better documentation of proposals for the project was required, to better understand the project and how it would affect them and the wider Orchard Hills area.

#### **Impacts on health and wellbeing**

- 1.12 All the residents discussed the immense emotional stress, anxiety, and depression experienced as a result of being in "limbo" for two or more years – not knowing what is going to happen – and where they will relocate.
- 1.13 Residents referred to their experiences with Sydney Metro and the acquisition of land as a 'rollercoaster of emotions' with extreme highs and lows, as demonstrated with the reassessment of land valuation. This was done but by the same valuer (working for a different company), with only a \$1 increase.
- 1.14 Residents described feeling 'powerless' by the situation, and stressed the importance of needing to retain certainty and stability, noting the upheaval for children with schools, elderly residents with medical care and support services, etc.
- 1.15 It was also noted that the issue at hand was more than just about fair compensation, it was also about the residents' attachment to land and how many had made a conscious choice to live a semi-rural lifestyle on the rural urban fringe of Sydney which was now being taken away from them.
- 1.16 Fears for the future were expressed, given that plans to rely on properties as assets for retirement are no longer viable.
- 1.17 When questioned about the provision of support services or counselling, residents indicated that Sydney Metro had acquisition managers, who were the contact person for information about the project, who were also performing the role of counsellor. This did not instill confidence in the residents.