

EXPRESS POST

Ref: SS2024/JSMITH
18 August 2024

Mr Jonathan Smith
151 Arrow Street
New South Wales 2093

Re: Proposed Acquisition Notice to Commence the Compulsory Acquisition Process for [Project Name]

Dear [Recipient],

On behalf of [Organization Name], I would like to thank you for your ongoing engagement with our team as we work towards finalizing arrangements for the development of the proposed [Project Name].

As outlined in our letter dated [Date], we are writing to you again to confirm that [Organization Name] intends to acquire an easement over your property for the proposed project. This follows the initial communication we sent in [Month, Year], notifying you that we would be seeking to acquire an easement, including a Sketch Plan showing the area required for a temporary construction easement and the approximate location of the permanent interests likely to be required once construction is complete.

Since the opening letters were issued, we have been actively working to reach a negotiated agreement with you and will continue these efforts throughout this process.

To meet the project timeframes and maintain [specific project objectives, e.g., "energy security, reliability, and affordability"], we now need to progress to what is known as the "Proposed Acquisition Notice" (PAN) under the applicable land acquisition legislation.

This means that if we are unable to reach an agreement with you by [Date], the interests required for the construction of the project will be acquired in accordance with the relevant legal framework, and the compensation payable to you will be determined by the appointed valuation authority.

A flowchart of the acquisition process is attached for your reference, indicating where we are in the process and outlining the next steps for both the temporary construction easement and the permanent easement.

Please note that this is a Proposed Acquisition Notice, and [Organization Name] will continue to consult with you in an effort to reach an agreement. If a written agreement is finalized by [Date], we will withdraw the PAN. However, if an agreement is not reached, the matter will be referred to the valuation authority for determination.

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You are entitled to submit a Claim for Compensation Form to ensure your views on the compensation payable are considered. The form is enclosed with this letter and should be completed and returned to us by [Date], as requested by the valuation authority.

Independent Advice

We understand that the acquisition process can be complex, and we encourage you to consult a legal advisor and/or an independent valuer for advice. If an agreement is reached, reasonable professional fees incurred in connection with the acquisition will be reimbursed upon settlement. Otherwise, the valuation authority will determine the amount of reimbursement as part of the compensation determination.

Further general information about the compulsory acquisition process for public projects is available from [Government Agency Website].

Additionally, a support line is available to landowners affected by the compulsory acquisition process at [Support Line Number].

For any questions regarding the acquisition process, please contact [Contact Name] at [Phone Number] or [Email Address].

We hope that all matters can be resolved through ongoing discussions and negotiations. [Contact Name] will be in touch with you shortly to discuss this letter, the enclosures, and the next steps.



Yours sincerely,
Adam Brown
Senior Manager Valuations and Acquisitions
Infrastructure and Place
CompanyCo

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT, 1991

SECTION 11

Proposed Acquisition Notice

This is a proposed acquisition notice for the purposes of Section 11 of the Land Acquisition (Just Terms Compensation) Act 1991 ("the Act"), which provides you with written notice of the intention of the Acquiring Authority specified below to acquire land by compulsory process.

TO: [Recipient Name]
C/- [Legal Representation]
[Address]

1. [Organization Name] ("the Acquiring Authority") proposes to acquire the interest in land described in the schedule to this notice.
2. The interest in land will be compulsorily acquired as soon as practicable after 90 days from the issuance of this notice and, in any event, within 120 days from the date of this notice, unless you and the Acquiring Authority agree in writing to a longer period (see Sections 13 and 14 of the Act). The acquisition will be effected by the publication of an acquisition notice in the [Relevant Government Gazette].
3. When the acquisition notice is published, the legal effect will be that the interest in the land described in the notice will be vested in the Acquiring Authority. As your interest in the land will be divested, extinguished, or diminished by the acquisition notice, you may be entitled to compensation from the Acquiring Authority.
4. If you wish to claim compensation for the acquisition, you are requested to lodge a claim for compensation with the Acquiring Authority. This claim must be lodged before [Date].
5. A claim for compensation, if you choose to submit one, must be in the form accompanying this notice, entitled Claim for Compensation.
6. The compulsory acquisition of land is a significant matter, and you may wish to consult a lawyer and consider the terms of the Act as to your rights. A copy of the Act is available at [Legislation Website]. You may also contact the Acquiring Authority for further information or visit [Relevant Website].

We hope that all matters can be resolved through ongoing discussions and negotiations. [Contact Name] will be in touch with you shortly to discuss this letter, the enclosures, and the next steps.



Sincerely,
[Sender Name]
[Sender Title]
[Organization Name]