

Circular Details	15-09 / 25 February 2015/ A409807
Previous Circular	N/A
Who should read this	Councillors / General Managers / All staff involved in the acquisition of land by compulsory process
Contact	Performance Team / (02) 44284214 olg@olg.nsw.gov.au
Action required	Councils to implement new requirements effective immediately.

Changes to the land acquisition process for acquiring authorities in NSW

What's new or changing

- The process for acquiring privately owned land by compulsory process has been changed to improve fairness and transparency.
- The new requirements apply to all acquiring authorities in NSW, including local councils. Compliance with the requirements is mandatory.
- NSW Office of Finance and Services (OFS) has issued a Circular (No [2015-01](#) of 1 January 2015) setting out the new requirements.
- Before making an application for approval to compulsorily acquire private land, councils must provide the land owner with information about the compulsory acquisition process.
- OFS has prepared a "[Land Acquisition Information Guide](#)", which councils can use for that purpose.
- In addition, councils must make additional efforts to negotiate with the land owner, including making every reasonable effort to have at least one face to face meeting with the land owner and/or their representative.

What this will mean for your council

- Councils seeking to acquire privately owned land by compulsorily process, either under the *Local Government Act 1993* or the *Roads Act 1993*, must comply with the new requirements.
- Councils will need to provide evidence of having complied with these requirements with their application form.

Key Points

- Compliance with the new requirements is mandatory. The changes apply from 1 February 2015.
- They should be applied to all proposals to acquire private land currently under consideration by councils, to all future proposals for the acquisition of private land and to any application currently being assessed by the Office of Local Government, where it is deemed appropriate for additional negotiation to occur.

Where to go for further information

- A copy of the OFS Circular 2015-01, Fact Sheet and the Information Guide are available at <http://arp.nsw.gov.au/ofs-2015-01-changes-land-acquisition-processes-acquiring-authorities>.
- Contact the Performance Team - Office of Local Government.

A handwritten signature in black ink, appearing to be 'Steve Orr', written in a cursive style.

Steve Orr
Acting Chief Executive
Office of Local Government