

# **Modernising Compensation Principles for the Regeneration of Land Uses in Highly Urbanised Locations**

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## **SUMMARY**

This paper examines the principles which underpin compensation in the acquisition of land in Australia, and the evolving complexities in determining parity of compensation to the dispossessed party. Surveys used and cases are examined in outlining the purposes for which land is acquired as well as the types of acquisitions which impact dispossessed parties. This provides a basis for establishing a framework which better supports the option for reinstatement and asks whether expanding other heads of compensation which underpin reinstatement is an option. The paper makes its primary contribution through the development of options for reinstatement and articulates factors which should be included under the heads of disturbance and solatium as distinct from market value. It further builds a case for a share in the uplift in value between the dispossessed party and acquiring authority resulting from economic development as the purpose of the acquisition.