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Compulsory acquisition, public benefits and large-scale private sector redevelopments: Can Australia learn from the United Kingdom? – *Melissa Pocock*

This article analyses the prohibition on local governments to use compulsory acquisition to assemble large-scale inner urban sites for redevelopment by the private sector. Australian courts focus on protection of private property rights, yet the National Public Private Partnership Policy and Guidelines recognise both the importance of the private sector in delivering infrastructure and the potentially significant community benefits that may be generated from such arrangements. This article considers compulsory acquisition powers in Queensland, New South Wales and the United Kingdom. The Australian decision of *R & R Fazzolari Pty Ltd v Parramatta City Council; Mac's Pty Ltd v Parramatta City Council* (2009) 237 CLR 603 is compared with the UK decision of *Alliance Spring Co Ltd v First Secretary of State* [2005] EWHC 18 (Admin) to demonstrate different conceptions in each jurisdiction of “public benefit”. The article seeks to generate debate on extending compulsory acquisition powers in Australia in line with the United Kingdom provisions. 129

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