

22. Property boundary adjustments

The preferred route for the highway impacts private, local council, state forest and flora reserve properties. The alignment of the preferred route was chosen to utilise the existing highway corridor where possible, however deviations from existing road corridors were required to address environmental, engineering, social and economic constraints and requirements.

22.1 Determining the road boundary

The objectives of the proposed road boundary that forms the basis for property acquisition includes provisions for the following:

- Provide a road corridor sufficiently wide to allow the construct ability of the highway carriageway for the arterial and motorway upgrade.
- Provide sufficient area for access roads and service roads for the both the arterial and motorway upgrade.
- Provide sufficient area required for sedimentation basins and drainage infrastructure.

The rationale used as a basis to determine the area required for acquisition is as follows:

- If the proposed top or toe for highway carriageway design batters are outside the existing road boundary or are within 15 m of the existing road boundary, the proposed boundary is set a minimum of 15 m from the top or toe of the proposed batters.
- Where there is a proposed service road parallel to the duplication, and the design batters are outside the existing road boundary or are within 6 m of the existing road boundary, the proposed boundary is set 6 m from the top or toe of the proposed batters.
- Where there is a proposed access road parallel to the duplication, and the existing road boundary is within 10 m of the centreline of the access road, the proposed boundary is set 10 m from the centreline of the proposed access road.
- The proposed boundary will be a minimum of 6 m from the top or toe of any proposed sediment basins.
- Where the interchange/intersections join with service roads, the boundaries are tapered to meet the boundary conditions in items 2 and 3 above.

The above rationale has been developed with reference to the Upgrading the Pacific Highway Design Guidelines, in particular the 15 m preferred offset to top or toe of batters and the 6 m minimum offset to top or toe of batters. The 6 m offset is only used for proposed service roads with a design speed of 80 km/h. This requirement exceeds the maximum 3000 annual average daily traffic clear zone requirements outlined in Figure 6.1 of the RTA's Road Design Guide.

The rationale has been used as a guide. Deviations from this rationale have occurred to avoid unnecessary minor acquisition of property sections where it is believed the areas for road construction and associated clear ways are appropriate.

The property acquisition boundary will not include provisions for batch plants and stockpiles. It is assumed that these sites will be leased or purchased from adjacent property owners prior to construction. These sites will not form part of the proposed road corridor.

22.2 Land acquisition process

The RTA can acquire land under the terms of the Roads Act 1993. Payment for land is assessed in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act. One aim of the Land Acquisition Act is to encourage the purchase of land by negotiation, rather than using the compulsory acquisition process.

Prior to construction, owners of each property affected by the road proposal are notified in writing of the RTA's intention to acquire the land. The letter invites landowners to submit an asking price for the affected land, if they wish to. The owner is advised that a valuer representing the RTA will undertake a valuation on the property prior to submitting a formal offer for the property. In the case of partial acquisition of a property, the RTA will value the property based on a 'before and after' method, involving two separate valuations ensuring that the property owner is compensated for the acquired land, and the reduction of value of the remaining land due to the proximity to the road proposal.

The RTA may give consideration in special circumstances to purchasing a property ahead of the construction phase, where the owner of the land to be acquired can show that a delay in this acquisition will cause hardship, as defined by the Act.

If a mutually acceptable purchase agreement cannot be reached between the property owner and the RTA, a 'Proposed Acquisition Notice' to compulsorily acquire land under the Land Acquisition Act may be issued.

22.3 Acquisition requirement

The acquisition requirements for the greatest area required for both an arterial and motorway standard upgrade, excluding the existing dual carriageway section of the Pacific Highway at Halfway Creek, are shown in Table 22-1.

Table 22-1 Acquisition requirements for Class A upgrade

Lot and DP	Owner type	Approximate area of acquisition (ha)	Percentage of lot affected
Section A			
Lot 351 DP 703698	Private	0.04	<1%
Lot 21 DP 259761	Private	0.11	50%
	Wedding Bells State Forest	0.10	3%
Lot 34 DP 600591	Private	0.12	1%
Lot PT83 DP 752853	Wedding Bells State Forest	1.09	1%
Section B			
Lot 4 DP 815051	Private	3.59	21%
Lot 12 DP 632158	Private	8.05	19%
Lot 3 DP 629984	Private	6.97	16%

Lot and DP	Owner type	Approximate area of acquisition (ha)	Percentage of lot affected
Lot PT103 DP 752820	Private	0.02	<1%
Lot 52 DP 851056	Private	6.66	13%
Lot 51 DP 851056	Private	3.81	32%
Lot 2 DP 806515	Private	0.63	29%
Lot 3 DP 806515	Private	0.95	39%
Lot 6 DP 806515	Corindi Treatment Plant	0.00	3%
Lot 1 DP 806515	Private	0.21	10%
Lot 3 DP 623588	Private	2.06	7%
Lot 1 DP 205145	Private	0.01	1%
Lot 1 DP 379009	Private	2.32	44%
Lot 1103 DP 803773	Private	0.29	4%
Lot 54 DP 752820	Private	1.81	9%
Lot 100 DP 752820	Private	0.85	3%
Lot 86 DP 752820	Private	5.99	37%
Lot PTB11 DP 752820	Private	0.06	1%
Lot PTC120 DP 752820	Private	0.38	<1%
Lot PTB4 DP 806515	Corindi Treatment Plant	4.10	10%
Lot 11 DP 1110135	Private	9.33	16%
Section C			
Lot 2 DP 121275	Private	0.07	100%
Lot 1 DP 121275	Private	0.20	100%
Lot 1 DP 710318	Private	3.26	11%
Lot 3 DP 820074	Private	0.29	100%
Lot 24 DP 705683	Private	16.36	21%
Lot 13 DP 705682	Private	0.50	87%
Lot 9 DP 705682	Private	1.05	3%
Lot 1 DP 731249	Private	4.19	14%
Lot 2 DP 731249	Private	0.56	9%
Lot 121 DP 714475	Private	1.30	12%

Lot and DP	Owner type	Approximate area of acquisition (ha)	Percentage of lot affected
Lot 122 DP 714475	Private	1.58	6%
Lot 2 DP 820074	Private	0.05	17%
Lot 92 DP 731408	Private	0.05	2%
Lot 2 DP 710318	Private	7.55	59%
Lot 23 DP 705683	Private	0.44	63%
Lot 1102 DP 803773	Private	2.77	37%
Lot 74 DP 731384	Private	0.38	34%
Lot 1 DP 746837	Private	3.30	49%
Lot 11 DP 705682	Private	0.25	1%
Lot PTC2 DP 746387	Private	4.86	33%
Lot 17 DP 705682	Private	0.18	44%
Section D			
	New Foundland State Forest	0.12	51%
Lot 6 DP 707325	Private	0.23	100%
Lot 1 DP 396968	Private	0.14	95%
Lot 130 DP 820653	Private	0.04	74%
Lot 10 DP 707325	Private	0.43	44%
Lot 13 DP 707324	State Other	0.56	100%
Lot 14 DP 879175	Private	0.20	100%
Lot 3 DP 833063	Private	1.13	14%
Lot 1 DP 833063	Private	3.05	10%
Lot PTC50 DP 878970	Private	0.38	<1%
Lot PTB51 DP 878970	Private	0.79	26%
Lot PTC23 DP 751368	New Foundland State Forest	0.39	3%
Lot PTC26 DP 751368	New Foundland State Forest	1.05	4%
Lot PTB11 DP 751368	New Foundland State Forest	1.02	7%
Lot 2B DP 833063	Private	0.61	8%
Lot PTC7 DP 707325	Private	2.83	19%
Lot PTD9 DP 707325	Private	5.33	6%

Lot and DP	Owner type	Approximate area of acquisition (ha)	Percentage of lot affected
Lot PTA8 DP 707325	Private	3.18	7%
Lot PTB1251 DP 777419	Private	0.12	6%
Section E			
Lot 10 DP 879175	Private	0.86	9%
Lot 1 DP 558503	Private	1.82	8%
Lot 2 DP 558503	Private	1.2	6%
Lot 7004 DP 1058539	Crown	0.61	21%
Lot 7005 DP 1058539	Crown	1.09	5%
	Grafton Rural Lands Protection Board	0.42	5%
Lot 105/74 DP 751381	Glenugie State Forest	0.08	<1%
Lot 1 DP 567129	Private	1.47	6%
Lot 119 DP 751368	Private	0.84	12%
Lot 63 DP 751368	Private	0.01	<1%
Lot 126 DP 751368	Private	0.50	2%
Lot 128 DP 751368	Private	0.66	3%
Lot 111 DP 751368	Wells Crossing Flora Reserve	28.26	5%
Lot 52 DP 801481	Private	6.60	64%
Lot 51 DP 801481	Private	1.69	40%
Lot 55 DP 751358	Private	0.29	<1%
Lot PTA13 DP 879175	Private	20.15	7%
Lot PTB53 DP 801481	Private	0.08	<1%
Total	84 Properties	200.19	

22.4 Mitigation measures

Properties to be impacted by the highway upgrade will have access provided by existing or proposed access and service roads. Details about the service roads are provided in Section 3 for the arterial and motorway standard upgrades.

New fencing will be provided to mark property adjustments.

Properties impacted by the proposed alignments will be provided the noise mitigation measures highlighted in Section 18.