



## Land Acquisition for Roadwork

### 1. Intent of Policy

Oberon Council is responsible for providing a safe and efficient local road transport system in its area.

Often it is necessary to acquire land to upgrade existing roads or construct new roads. The intention of this policy is to explain to staff and the public how compensation will be determined if an agreement cannot be reached between the parties (i.e. landowner and Council).

### 2. Scope of Policy

This policy applies to all land acquisitions for roadwork in the Oberon Council area.

### 3. Guidelines

#### Road Widening

Where the land acquired already joins the road reserve, basically involving a road widening, the provisions of the Just Terms Compensation Act will be used if agreement cannot be reached on:

- (a) Council paying for the fencing of the affected land along the road reserve, on a like for like replacement basis using new materials;
- (b) Council paying all associated survey, legal, subdivision fees, etc., associated with the purchase; and
- (c) Compensation being paid on the portion affected, on a square metre basis, for the area of land to be purchased.

#### Road Dissection

Where the road dissects a portion of the property, assuming that the same owner does not own property on both sides of the road, the provisions of the Just Terms Compensation Act will be used if agreement cannot be reached on:

- (a) Council paying for the fencing of the affected land along the road reserve, on a like for like replacement basis using new materials;
- (b) Council paying all associated survey, legal, subdivision fees, etc., associated with the purchase;
- (c) Compensation being paid on the portion affected, on a square metre basis, for the area of land to be purchased; and

- (d) An additional payment will be determined by a licensed valuer which takes into account the real effect of the roadwork separating a smaller portion from the main body of the property. Where it is feasible the separated lot and original road reserve will be offered to the adjoining landowner if an agreement can be reached.

Approving Authority	Oberon Council
Contact	Director of Engineering
Approval	12 August 2008: Item B33, Minute 49
Revision Date	August 2010
Issue Date to Staff	25 August 2008
Reviewed	12 August 2008 -Reformatted