



fact sheet

Property Acquisition

The Northern Expressway is a major road project planned for the Northern Adelaide region. It will link Gawler with Port Wakefield Road, passing to the south of Angle Vale. It also includes upgrades to Port Wakefield Road between the connection north of Taylors Road and the Salisbury Highway intersection.

As is the case with major infrastructure projects, private properties will need to be purchased by the State Government prior to construction of the Northern Expressway.

This fact sheet explains to you the land acquisition process.

The proposed route for the Northern Expressway was selected following an extensive planning study involving the Australian and State Government Departments, local councils, industry and business groups.

How does property acquisition work?

The State Government is authorised under the *Highways Act 1926* together with the *Land Acquisition Act 1969* to acquire properties for the purpose of road construction.

Whilst this process provides for compulsory acquisition, the government is willing to acquire property through an early negotiated process with the owners.

All affected parties are given the opportunity to negotiate for compensation.

This may include a registered proprietor, a lessee, a property owner, a holder of an encumbrance or worker's lien, an executor of a deceased estate, a beneficial owner, a mortgagee, a business operator, native title claimants or holders.

How will DTEI buy property for the roadworks?

DTEI will individually contact all property owners and parties whose properties will be affected by the new Expressway.

Negotiations may involve:

- Owner initiated settlement. This means that the owner and the government willingly enter into negotiations and achieve agreement about the value and sale of the property. This process can commence at any time from now and may allow for an early resolution.
- Compulsory Acquisition. When agreement on appropriate compensation has not been reached through direct negotiation with the affected parties, the property is compulsorily acquired. This process commences when the Minister for Transport formally approves the Northern Expressway. Even after the compulsory acquisition process has commenced, the government is willing to seek agreement through the direct negotiation process. We hope this will enable a more timely settlement for everyone.

What is the basis of compensation?

All compensation is based on the market value of the property on either a whole or partial acquisition basis.

Other reasonable expenses during and after the process will also be considered.



Australian Government
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Issues that valuers will consider during the process to determine a fair and reasonable compensation include:

- The fair market value of the land to be acquired;
- Any loss to the remaining land caused by partial acquisition;
- Any other loss due to disturbance; and
- Special value, including any business based issues.

All affected parties will be consulted as part of DTEI's valuation process and negotiated settlements will be forwarded to the Minister for Transport for approval.

Following approval by the Minister, the matter will be settled as soon as possible.

It is important, however, that affected parties do not enter into a contract to buy a replacement property without first contacting DTEI.

Negotiations

After the valuations are submitted by DTEI, negotiations will take place with the property owner to reach agreement for compensation.

Every effort will be made to negotiate a mutually acceptable agreement.

If agreement is reached, the matter will proceed to settlement.

If agreement is not reached and if the property is still required (once the clearly defined route is determined) then it may be acquired by further negotiation or by compulsory means under the Land Acquisition Act 1969 provisions.

What is the amount of compensation?

The amount of compensation depends on the circumstances of the acquisition, the area of land being acquired, its value, and whether other

forms of compensation are payable such as business losses, severance or disturbance.

How do I know if DTEI's offer is fair?

Everyone is entitled to obtain professional advice.

DTEI will reimburse reasonable costs for valuation, legal expenses and conveyancing where deemed appropriate and within the circumstances of the acquisition.

What if I disagree with the government's need to purchase my land?

There are established procedures for appeal at several stages under the provisions of the Land Acquisition Act:

- Where a Notice of Intention to Acquire Land is given, affected parties have 30 days to write to DTEI seeking an explanation into the reasons for the acquisition and a description of the scheme.
- Also within 30 days of the Notice of Intention being given, or within 30 days of the explanation being provided, affected parties can object to the acquisition or request an alteration to the area of land being acquired.
- Within 7 days of being notified that such a request has been refused, an application may be made in writing to the Minister for Transport for a review of the decision.

A detailed description of the land acquisition process for the Northern Expressway can be obtained by calling our Information Line on 1300 658 621.

Further information is available from the Parliament of South Australia website at <http://www.parliament.sa.gov.au/Catalog/legislation/Acts/I/1969.93.htm>. This provides further detail regarding formal property acquisition procedures.

For more information

Further information about the project will be available on our website:
www.northernexpressway.sa.gov.au or
Email northernexpressway@saugov.sa.gov.au

Please contact us if you would like more information or would like to provide input into the environmental assessment process.

Information line 1300 658 621

Interpreter information 1300 658 621

Text message (SMS) 1999NEXY

SMS cost is 25c per message of up to 160 characters regardless of carrier.