

4 March 2016

File No 10/438.11156

General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

TWEED SHIRE COUNCIL
RECEIVED

DATE 11 MAR 2016

Dear Sir,

**Highway No 10 - Pacific Highway. Tweed Shire Council. Banora Point Upgrade Project.
Acquisition of three parcels of Crown land and Easements at Wilsons Park, Banora Point.**

The vast majority of the construction and ancillary works for the upgrade of the Pacific Highway associated with the Banora Point Upgrade Project have been completed with the highway open to traffic. Up until recently, the three parcels of Crown land impacted by the Project have been leased. To minimise the acquisition from the Crown (especially through Wilson Park that required a stratum survey) it was agreed to determine the acquisition boundaries once the Project was constructed. To finalise the Project it is now necessary to complete the acquisition process and dedicate/declare the Highway as Public Road and Freeway. Note that Wilson Park was placed under the care, control and management of Tweed Shire Council who were appointed as Manager of Banora Point (R84809) Reserve Trust. Therefore, Council has an interest in this acquisition process.

1. Land to be Acquired

The subject areas of Crown land to be acquired are described as follows:-

- Part of Lot 538 in DP128780 described as Lot 32 in DP1211517 with an area of 2.015ha all for the Freeway viaduct.
- Part of Reserve 84809 for Public Recreation or Conservation known as Wilson Park (notified by Government Gazette dated 20 March 1964) being part of Lot 2 in DP1140522 described as Lot 25 in DP1211517 with an area of 3194m² (consisting of an area for Freeway and the stratum below Wilson Park for the Freeway tunnel) and two areas on either side of the Freeway designated (A) on DP1211517 with areas 2639m² and 443.9m² required for Easements for Rock Anchors variable width.
- Part of Reserve 84809 for Public Recreation or Conservation known as Wilson Park (notified by Government Gazette dated 20 March 1964) being part of Lot 7008 in DP1069422 described as Lot 24 in DP1211517 with an area of 94.2m² for Freeway and an area designated (A) on DP1211517 with an area of 2432m² required for an Easement for Rock Anchors variable width.
- Note that the Tunnel Portals, the walls and associated fencing will be included as Freeway with the Freeway stratum below Wilson Park extending between these two areas.

Roads & Maritime Services

Please note that in a Crown letter dated 16 March 2015, concurrence was obtained for Roads and Maritime to compulsorily acquire the subject parcels of Crown land and Easements for Rock Anchors variable width.

2. Land to be Transferred

An onsite meeting at Wilson Park was held some time ago between representatives of the Crown, Tweed Shire Council and Roads and Maritime to discuss the proposed acquisition as well as the possible transfer of residue Roads and Maritime land as part compensation. As a result of favourable consideration to accept this residue land as a green corridor connection between Wilson Park and Crown land further south, Roads and Maritime demolished the house on Lot 676 and established the overall area as an extension to Wilson Park.

The residue Roads and Maritime land for transfer to Crown Lands as part compensation is:-

- Part of Lot 676 in DP257489 described as Lot 14 in DP1211517 with an area of 694.3m² that is subject to an Easement for Rock Anchors variable width designated (A) on DP DP1211517 also with an area of 694.3m².
- Part of Lot 1 in DP833698 described as Lot 15 in DP1211517 with an area of 278.9m² that is subject to an Easement for Rock Anchors variable width designated (A) on DP DP1211517 with an area of 98.41m².
- Part of Lot 2 in DP833698 described as Lot 16 in DP1211517 with an area of 961.5m² that is subject to an Easement for Rock Anchors variable width designated (A) on DP DP1211517 with an area of 662.3m².
- Roads and Maritime would prefer that its residue land is transferred to the Crown for incorporation into Wilson Park so that Council becomes the Reserve Trust Managers for these areas to be transferred as well.

In the same letter mentioned above, Crown Lands also agreed to accept Lots 14, 15 and 16 in DP1211517 as part compensation for the compulsory acquisition of the subject Crown land.

3. Easement for Rock Anchors under Council owned land.

Council owns a parcel of land within Wilson Park described as Lot 1 in DP1140522 for water supply with associated easements for access and services. The Proposed Easement for Rock Anchors is to be acquired for the large retaining walls constructed as part of the land bridge associated with Freeway tunnel. The proposed sub-surface easement described as (A) in DP1211517 with an area of 45.5m² is to be acquired from Lot 1 in DP1140522. As the surface of Lot 1 in DP1140522 was not affected and the Rock Anchors are sub-surface, the easement is to be compulsorily acquired under Section 62 of the Land Acquisition (Just Terms Compensation) Act 1991 for nil compensation.

Actions

1. It would be appreciated if Tweed Shire Council as Manager of Banora Point (R84809) Reserve Trust would provide written concurrence to the acquisition of the subject parcels of Crown land by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 as well as acceptance of compensation (if any) as determined by the Valuer General.
2. Similarly, please provide your written concurrence to the subject Roads and Maritime land (Lots 14, 15 and 16 in DP1211517) being added to Reserve 84809 for Public Recreation or Conservation known as Wilson Park to which you are appointed as Reserve Trust Managers.
3. Please also provide your written concurrence to the compulsory acquisition of the sub-surface Easement for Rock Anchors described as (A) in DP1211517 from Lot 1 in DP1140522 with an area of 45.5m² for nil compensation in accordance with Section 62 of the Land Acquisition (Just Terms Compensation) Act 1991. It would be appreciated if Council would also provide an AHD level for the acquisition stratum that can be determined from the AHD level of Council's water supply pipes minus a reasonable protective cushion depth below the pipes.

Enclosed are the following copies of documents in the matter:-

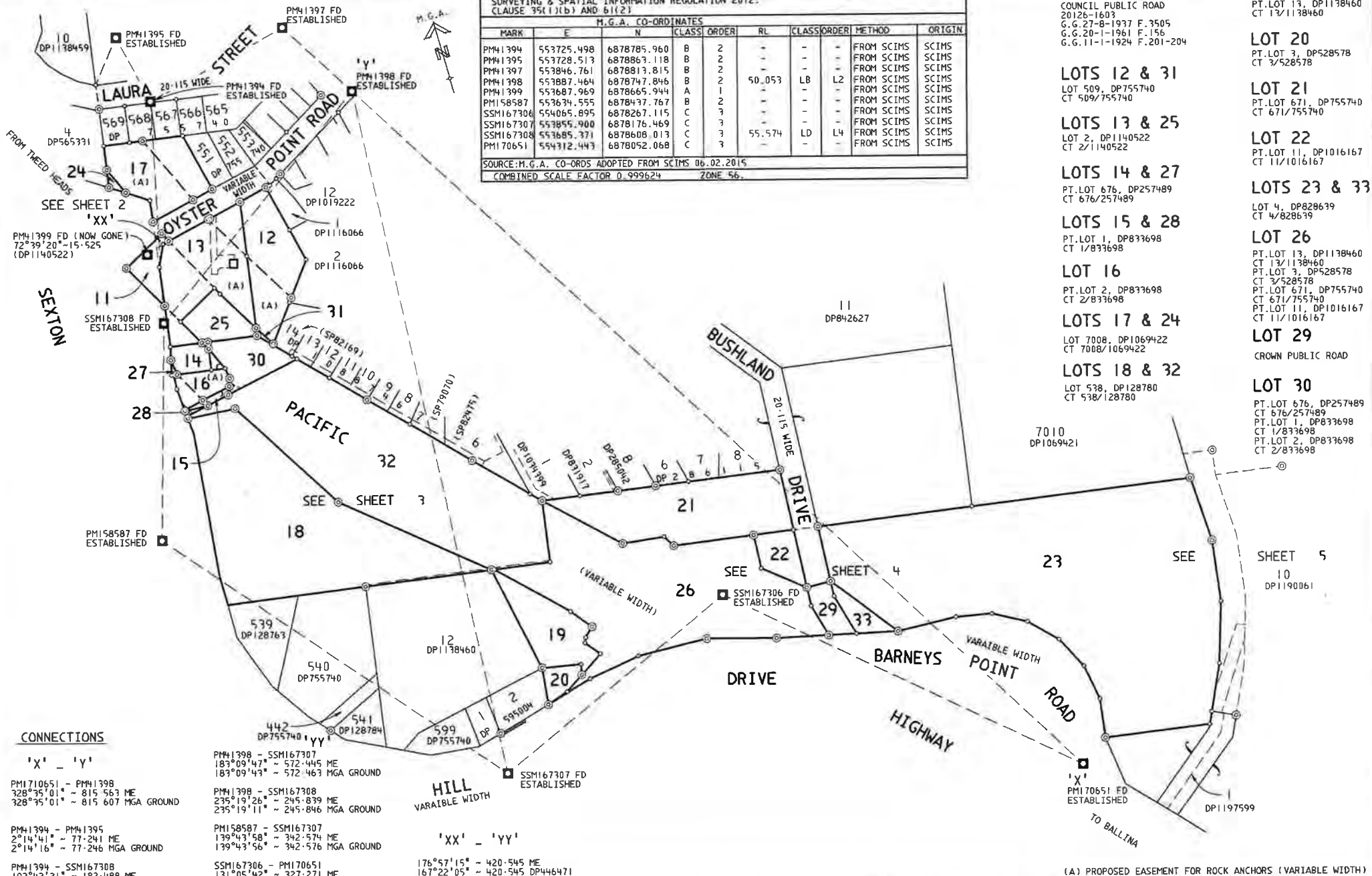
- Copy of DP1211517 showing the Crown land to be acquired and Roads and Maritime land to be transferred.
- Copy of DP1140522 showing the area impacted by the sub-surface easement to be compulsorily acquired from Council.
- Copy of Crown letter dated 16 March 2015 giving their concurrence to the acquisition and transfer of the subject land.

Please contact Robert Macfarlane on 66401360 if you have any questions.

Yours faithfully



for
Terry Green
Infrastructure Property Manager, Northern.



CONNECTIONS

'X' - 'Y'

PM1710651 - PM41398
328°35'01" ~ 815 563 ME
328°35'01" ~ 815 607 MGA GROUND

PM41394 - PM41395
2°14'41" ~ 77.241 ME
2°14'16" ~ 77.246 MGA GROUND

PM41394 - SSM167308
192°42'31" ~ 182.488 ME
192°42'27" ~ 182.484 MGA GROUND

PM41397 - PM41394
257°04'24" ~ 124.461 ME
257°03'47" ~ 124.468 MGA GROUND

PM41398 - PM41397
328°19'24" ~ 77-544 ME
328°19'31" ~ 77-545 MGA GROUND

PM41398 - SSM167307
183°09'47" ~ 572.445 ME
183°09'43" ~ 572.463 MGA GROUND

PM41398 - SSM167308
235°19'26" ~ 245.839 ME
235°19'11" ~ 245.846 MGA GROUND

PM158587 - SSM167307
139°43'58" ~ 342.574 ME
139°43'56" ~ 342.576 MGA GROUND

SSM167306 - PM170651
131°05'42" ~ 327.271 ME
131°05'45" ~ 327.279 MGA GROUND

SSM167307 - SSM167306
66°38'57" ~ 228-803 ME
66°39'08" ~ 228-810 MGA GROUND

SSM167308 - PM158587
196°37'14" ~ 177.734 ME
196°37'11" ~ 177.735 MGA GROUND

HILL
VARAIBLE WIDTH

'XX' - 'YY'

176°57'15" ~ 420.545 ME
167°22'05" ~ 420.545 DP446471

Surveyor: TIMOTHY JOSEPH REIN
Date of Survey: 15/4/2015

Surveyor's Ref: T15199/20611C-E
(RMS: 2014030-NRD04) E.N.15/014-Column 4
2015M7100(464) Additional Sheets CHECKLIST

PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993

Date of Survey: 15/4/2015

Surveyor's Ref: T15199/20611C-E
(RMS: 2014030-NRD04) E.N.15/014-Column 4
2015M7100(464) Additional Sheets CHECKLIST

LGA: TWEED
Locality: BANORA POINT

Subdivision No: N/A

Lengths are in metres. Reduction Ratio 1: 2000

Registered
18.8.2015

DP1211517 (E)

REFERENCE MARKS

V 89°30'20" RMDH&W IN PATH	7.35
AA 228°05' RMGIP	1.5 FD DIST'D (BASE ADOPTED) (DP1088746)
AB 179°59'30" RMDH&W IN CONC. CAUSEWAY	20.21
AC 71°50' RMGIP	1.08 FD (DP1138460)
AD 266°11' RMGIP	1.0 FD (DP1138460)
AE 3°18' RMDH&W IN PATH	11.615
AG 337°26'30" RMDH&W IN D'WAY	8.15
AH 166°55' RMGIP	23.54
AJ 342°38' RMGIP	15.71 FD DIST'D (DP285042) BY ME
AL 255°46' RMGIP	13.615 FD (DP1138460)
BP 242°47' RMGIP SPIKE IN BIT	0.56 FD (DP595004)
BQ 342°03' RMGIP	5.335
BR 281°06'20" RMGIP	4.88
BZ 0°10' RMGIP	18.71
YY 65°12' RMGIP	0.465
	0.475 FD (R9882-1759)

CONNECTIONS

PM11798 - SSM167307
183°09'47" ~ 572.445 ME
183°09'43" ~ 572.463 MGA GROUND

PM158587 - SSM167307
139°43'58" ~ 342.574 ME
139°43'56" ~ 342.576 MGA GROUND

SSM167307 - SSM167306
66°38'57" ~ 228.803 ME
66°39'08" ~ 228.810 MGA GROUND

SSM167308 - PM158587
196°37'14" ~ 177.734 ME
196°37'11" ~ 177.735 MGA GROUND

'XX' (SHEET 1 & 2) - 'YY'

176°57'15" ~ 420.545 ME
167°22'05" ~ 420.545 DP446471

LOTS 18 & 32

LOT 538, DP128780
CT 538/128780

LOT 19

PT. LOT 13, DP1138460
CT 13/1138460

LOT 20

PT. LOT 3, DP528578
CT 3/528578

LOT 21

PT. LOT 671, DP755740
CT 671/755740

LOT 26

PT. LOT 13, DP1138460
CT 13/1138460
PT. LOT 3, DP528578
CT 3/528578
PT. LOT 671, DP755740
CT 671/755740
PT. LOT 11, DP1016167
CT 11/1016167

LINE	BEARING	DISTANCE
1	141°03'	21.61
2	254°33'05"	40.415
3	71°44'20"	18.62
4	57°31'35"	18.46
5	57°31'35"	23.095
6	320°01'10"	15.5
7	23°32'50"	4.6
8	47°13'	10.21
9	100°38'40"	32.07
10	191°20'40"	8.81

(BR) LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATIONS & CONDITIONS - MEMORANDUM 5700000A
(DD) LAND EXCLUDES MINERALS & IS SUBJECT TO RESERVATIONS & CONDITIONS - SEE CROWN GRANT

(CC) COVENANT- U215010

(E) EASEMENT TO DRAIN WATER 4.5 WIDE (DP1088746)
(F) EASEMENT TO DRAIN WATER 3 WIDE, 4.5 WIDE & VARIABLE WIDTH (DP1088746)
(G) EASEMENT FOR SERVICES 5 WIDE & 6 WIDE (DP1034399)
(H) EASEMENT TO DRAIN WATER 5 WIDE & 6 WIDE (DP1034399)
(J) E322679 - EASEMENT TO DRAIN WATER 2 WIDE (DP831917)
(K) G625347 - EASEMENT FOR WATER PIPES

GP DENOTES GI POST ON CORNER
PG DENOTES PEG GONE (DP1138460)

Surveyor: TIMOTHY JOSEPH REIN

Date of Survey: 15/4/2015

Surveyor's Ref: T15199/20611C-B
(RMS: 2014030-NR0404) ENo15/014-Clause 41(1)
2015M7100(464) Additional Sheets CHECKLIST

PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993

LGA: TWEED

Locality: BANORA POINT

Subdivision No: N/A

Lengths are in metres. Reduction Ratio 1:1000

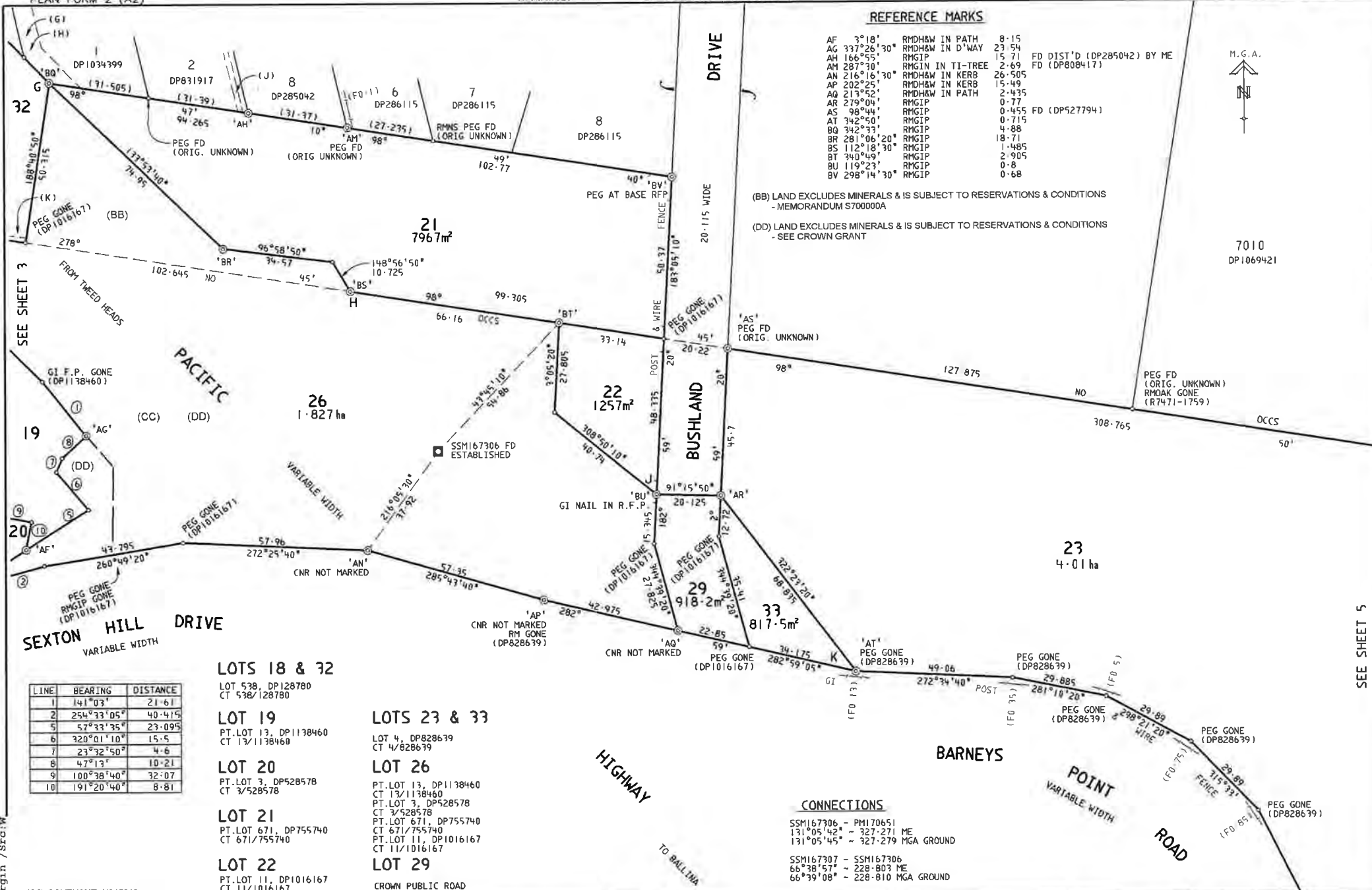
Registered
18.8.2015

DP1211517

RMS FILE: 10/438.1200

RMS PLAN: 0010.438 SS 4580

RMS FBK: 0010.438.FP.5524



LINE	BEARING	DISTANCE
1	141°03'	21.61
2	254°33'05"	40.415
5	57°33'35"	23.095
6	320°01'10"	15.5
7	23°32'50"	4-6
8	47°13'	10-21
9	100°38'40"	32-07
10	191°20'40"	8-81

LOTS 18 & 32

LOT 538, DP128780
CT 538/128780

LOT 19

PT. LOT 13, DP1138460
CT 13/1138460

LOT 20

PT. LOT 3, DP528578
CT 3/528578

LOT 21

PT. LOT 671, DP755740
CT 671/755740

LOT 22

PT. LOT 11, DP1016167
CT 11/1016167

LOTS 23 & 33

LOT 4, DP828639
CT 4/828639

LOT 26

PT. LOT 13, DP1138460
CT 13/1138460

PT. LOT 3, DP528578
CT 3/528578

PT. LOT 671, DP755740
CT 671/755740

PT. LOT 11, DP1016167
CT 11/1016167

LOT 29

CROWN PUBLIC ROAD

(CC) COVENANT- U215010

(G) EASEMENT FOR SERVICES 5 WIDE & 6 WIDE (DP1034399)
(H) EASEMENT TO DRAIN WATER 5 WIDE & 6 WIDE (DP1034399)
(J) E322679 - EASEMENT TO DRAIN WATER 2 WIDE (DP831917)
(K) 6625347 - EASEMENT FOR WATER PIPES

Surveyor: TIMOTHY JOSEPH REIN

Date of Survey: 15/4/2015

Surveyor's Ref: T15199/20611C-B
(RMS 2014030-NR0404) E.No.15/014-Clause 4(1)
2015M7100464 Additional Sheets CHECKLIST

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT, 1993

LGA: TWEED

Locality: BANORA POINT

Subdivision No: N/A

Lengths are in metres. Reduction Ratio 1: 750

Registered

18 B 2015

DP1211517

CONNECTIONS

PM1710651 - PM41398
 328°35'01" ~ 815.563 ME
 328°35'01" ~ 815.607 MGA GROUND

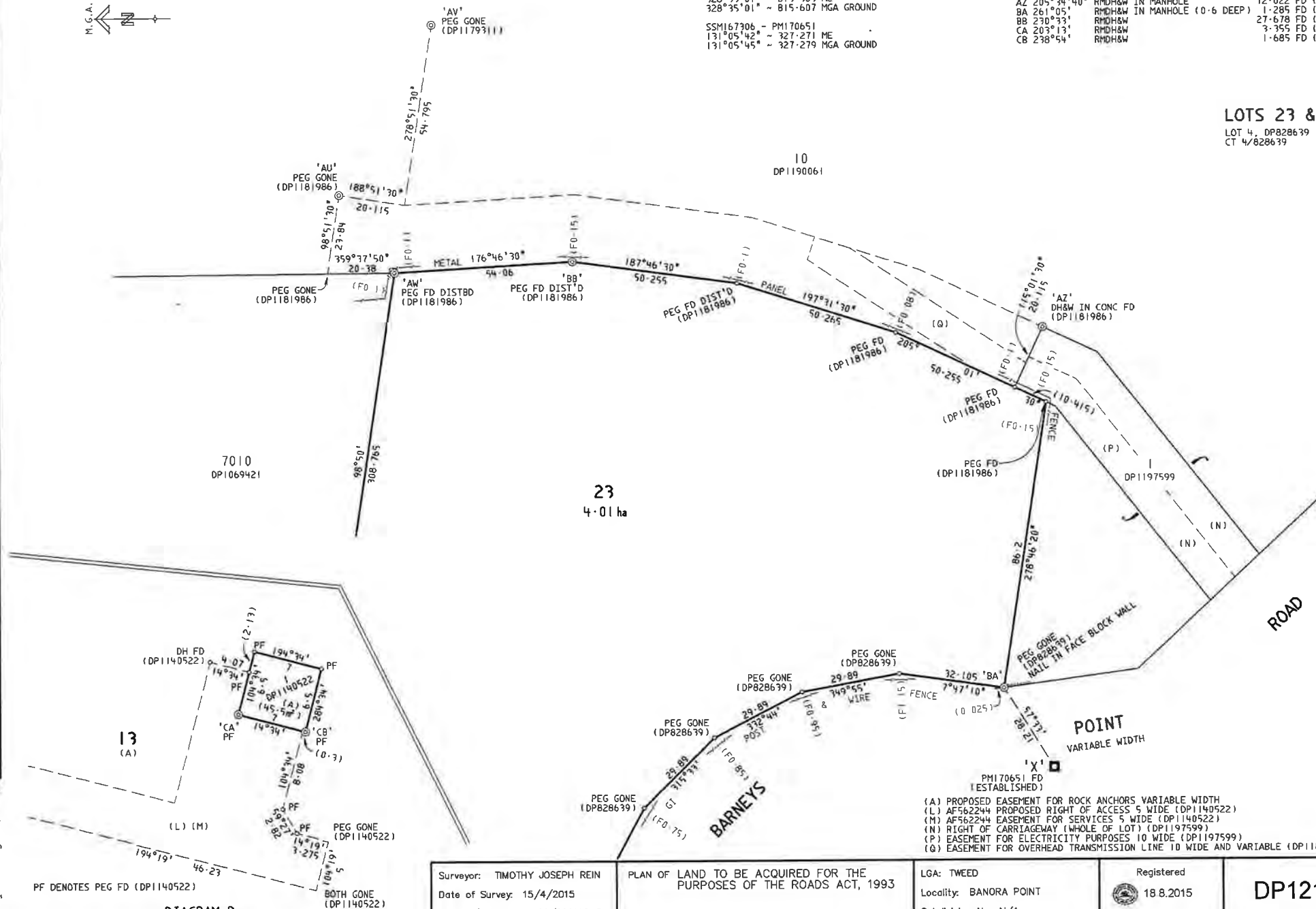
SSM167306 - PM170651
 131°05'42" ~ 327.271 ME
 131°05'45" ~ 327.279 MGA GROUND

REFERENCE MARKS

AU 180°04'20"	RMDH&W	64.182 FD (DP1181986)
AV 112°38'20"	RMDH&W	2.77 FD (DP1179311)
AW 54°54'	RMDH&W	3.155
AZ 205°34'40"	RMDH&W IN MANHOLE	12.022 FD (DP1181986)
BA 261°05'	RMDH&W IN MANHOLE (0.6 DEEP)	1.285 FD (DP828639)
BB 230°33'	RMDH&W	27.678 FD (DP1181986)
CA 203°13'	RMDH&W	3.955 FD (DP1140522)
CB 238°54'	RMDH&W	1.685 FD (DP1140522)

LOTS 23 & 33

LOT 4, DP828639
 CT 4/828639



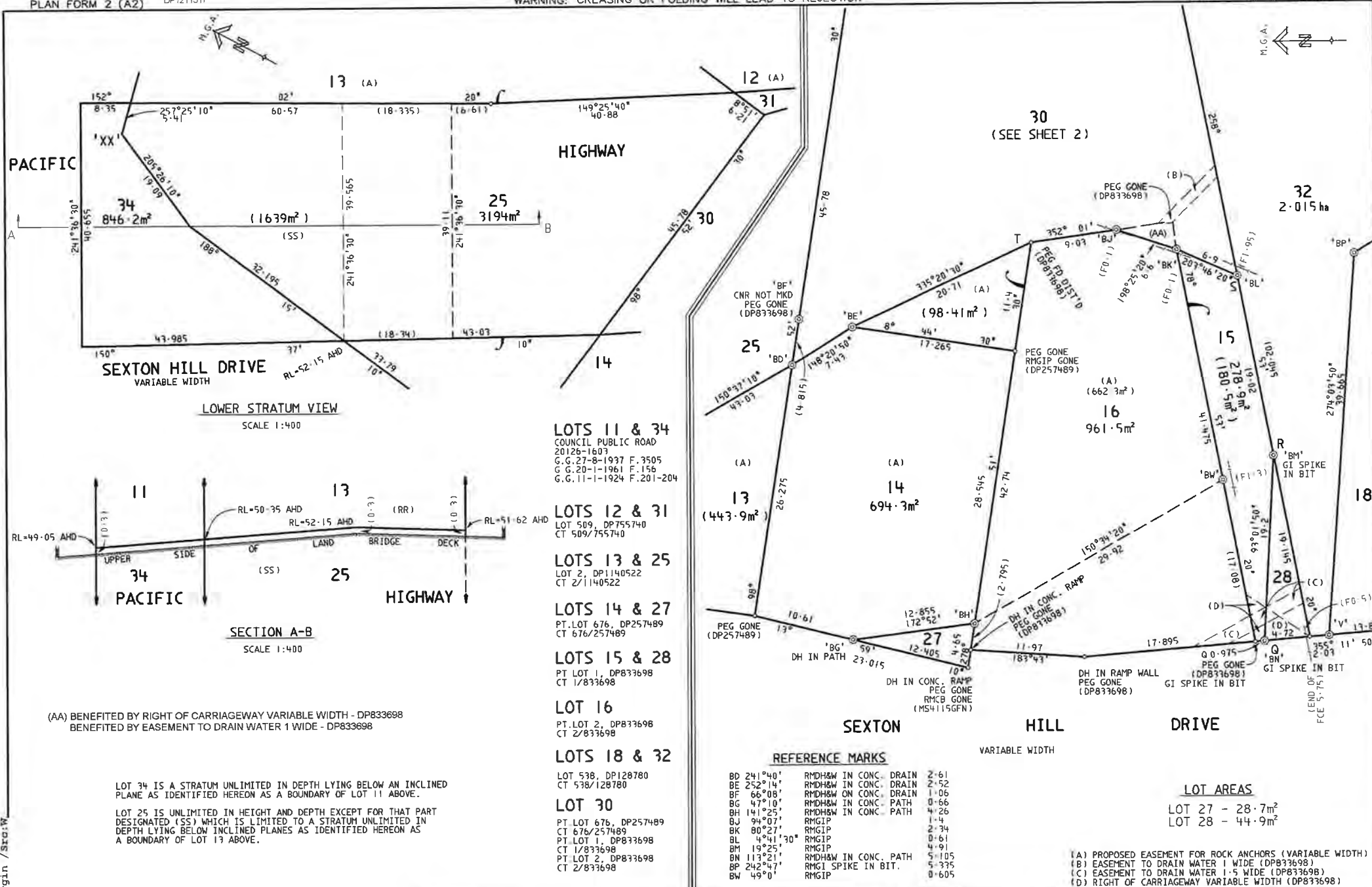
Surveyor: TIMOTHY JOSEPH REIN
 Date of Survey: 15/4/2015
 Surveyor's Ref: T15199/20611C-B
 (RMS:2014030-NR0404) E.No.15/014-Clause 41(1)
 2015M7100(464) Additional Sheets CHECKLIST

PLAN OF LAND TO BE ACQUIRED FOR THE
 PURPOSES OF THE ROADS ACT, 1993

LGA: TWEED
 Locality: BANORA POINT
 Subdivision No: N/A
 Lengths are in metres. Reduction Ratio 1: 750

Registered
 18.8.2015

DP1211517



Surveyor: TIMOTHY JOSEPH REIN

Date of Survey: 15/4/2015

Surveyor's Ref: T15199/20611C-B
(RMS 2014030-NR0404) E.No.15/014-Clause 4(1)
(2015M7100/464) Additional Sheets CHECKLISTPLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993

LGA: TWEED

Locality: BANORA POINT

Subdivision No: N/A

Lengths are in metres. Reduction Ratio 1: 250




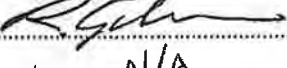
Registered

18 8 2015

DP1211517

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

<p>Registered:  18.8.2015</p> <p>Title System: TORRENS & CROWN LAND</p> <p>Purpose: ROADS ACT, 1993</p>	<p>Office Use Only</p> <p>Office Use Only</p> <p>DP1211517</p>
<p>PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE ROADS ACT, 1993.</p>	<p>LGA: TWEED</p> <p>Locality: BANORA POINT</p> <p>Parish: TERRANORA</p> <p>County: ROUS</p>
<p>Crown Lands NSW/Western Lands Office Approval</p> <p>I, <u>Nesbit Hurcum</u> (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature: </p> <p>Date: <u>21 July 2015</u></p> <p>File Number: <u>08/4237</u></p> <p>Office: <u>GRAFTON</u></p>	<p>Survey Certificate</p> <p>I, <u>TIMOTHY JOSEPH REIN</u> of <u>B & P Surveys, PO Box 46, Murwillumbah, NSW, 2484</u> a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on</p> <p>*(b) The part of the land shown in the plan (*being/*excluding Lots 11-17 & 19-34 inclusive, Part Lot 18 and connections) was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on 15-04-2015 the part not surveyed was compiled in accordance with that Regulation.</p> <p>*(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2012.</p> <p>Signature:  Dated: <u>29-6-15</u></p> <p>Surveyor ID: 7599.....</p> <p>Datum Line: 'X' - 'Y'</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous.</p> <p>*Strike through if inapplicable.</p> <p>*Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</p>
<p>Subdivision Certificate</p> <p>I, <u>Raymond Gilmour</u> *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature: </p> <p>Accreditation number: <u>N/A</u></p> <p>Consent Authority: <u>ROADS AND MARITIME SERVICES</u></p> <p>Date of endorsement: <u>29/7/2015</u></p> <p>Subdivision Certificate number: <u>NR0404</u></p> <p>File number: <u>10/438.1200</u></p> <p>*Strike through if inapplicable.</p>	<p>Plans used in the preparation of survey/compilation.</p> <p>DP44823 DP257489 DP285042 DP286115 DP371340 DP418839 DP446471 DP527794 DP528578 DP565331 DP583322 DP595004 DP820697 DP828639 DP831917 DP833698 DP1016167 DP1019222 DP1034399 DP1069422 DP1088746 DP1116066 DP1138459 DP1138460 DP1140522 DP1175510 DP1179311 DP1180758 DP1181986 DP1190061 DP1197599 R9701-1759 R9702-1759 R9704-1759 R9705-1759 R9486-1759 R9594-1759 R10076-1759 MS4381-3050</p> <p>If space is insufficient continue on PLAN FORM 6A</p> <p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p> <p>Surveyor's Reference: T15199/20611 C-B '2015M7100 (464) Additional Sheets' (RMS:2014030-NR0404) E.No.15/014-Clause 41(1)</p>

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheet(s)

Office Use Only

Office Use Only

Registered:  18.8.2015PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993.

DP1211517


Subdivision Certificate number: NR0404Date of Endorsement: 29/7/2015

This sheet is for the provision of the following information as required:

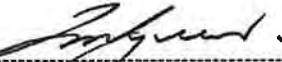
- A schedule of lots and addresses - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.


Lot	Street Number	Street Name	Street Type	Locality
12	2	OYSTER POINT	ROAD	BANORA POINT
13	2A	OYSTER POINT	ROAD	BANORA POINT
14	62	SEXTON HILL	DRIVE	BANORA POINT
15	58	SEXTON HILL	DRIVE	BANORA POINT
16	60	SEXTON HILL	DRIVE	BANORA POINT
17	2A	OYSTER POINT	ROAD	BANORA POINT
18	42	SEXTON HILL	DRIVE	BANORA POINT
19	6	SEXTON HILL	DRIVE	BANORA POINT
20	8	SEXTON HILL	DRIVE	BANORA POINT
21	NA	SEXTON HILL	DRIVE	BANORA POINT
22	NA	SEXTON HILL	DRIVE	BANORA POINT
23	NA	BARNEYS POINT	ROAD	BANORA POINT
11, 24-34	NA	PACIFIC	HIGHWAY	BANORA POINT

APPROVED:


INFRASTRUCTURE PROPERTY MANAGER NORTHERN
ROADS AND MARITIME SERVICES, NSW

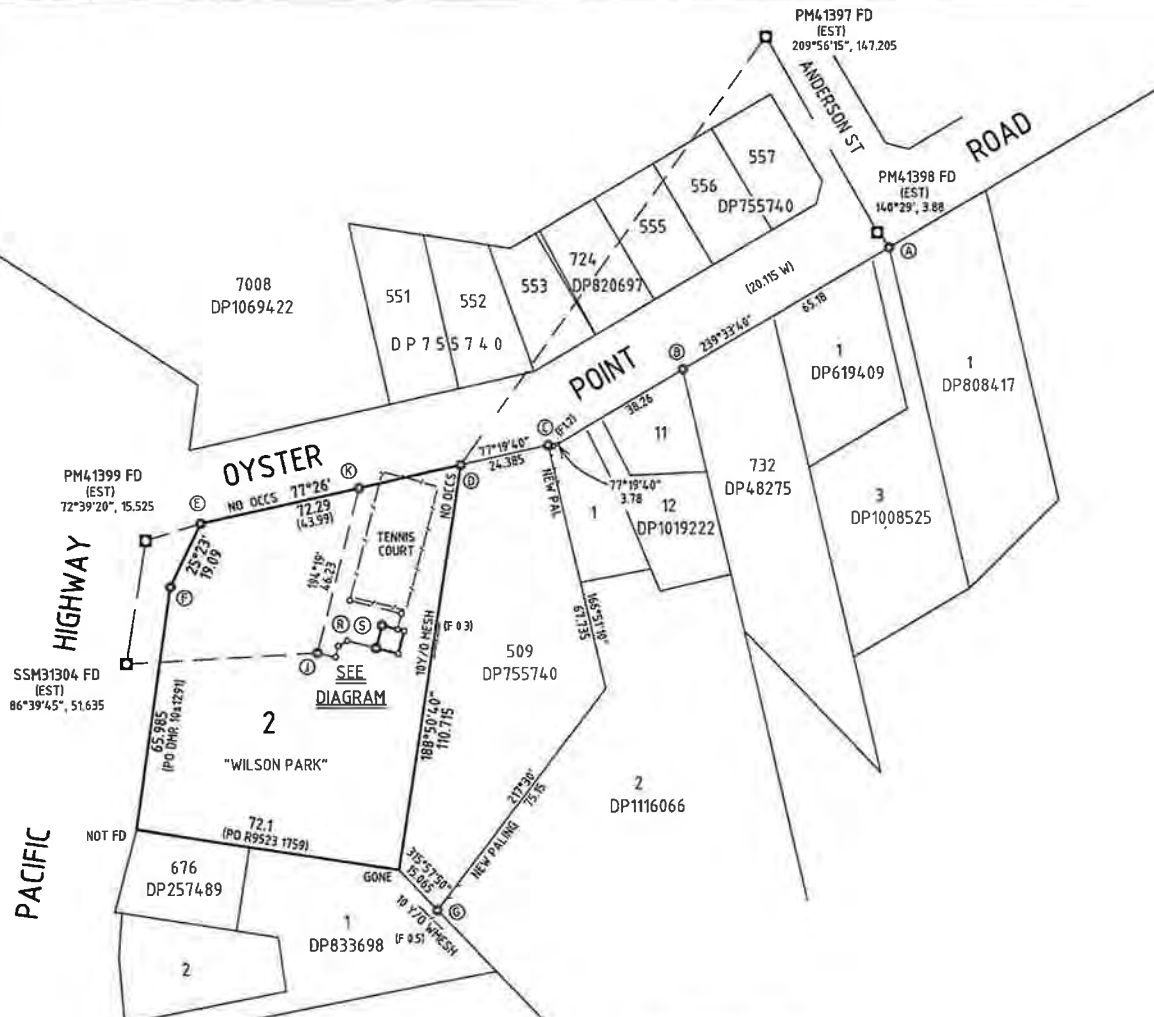
EXECUTED FOR THE ROADS AND MARITIME SERVICES
BY IT'S DELEGATE TERRY GREEN PURSUANT TO
DELEGATION BOOK 4623 NO.148


INFRASTRUCTURE PROPERTY MANAGER
NORTHERN


"SIGNED BY AUTHORITY PURSUANT
TO SECTION 13L OF THE REAL PROPERTY
ACT 1900 FROM THE MINISTER
ADMINISTERING THE CROWN LANDS ACT
1989 ON BEHALF OF THE STATE OF NEW
SOUTH WALES"

If space is insufficient use additional annexure sheet

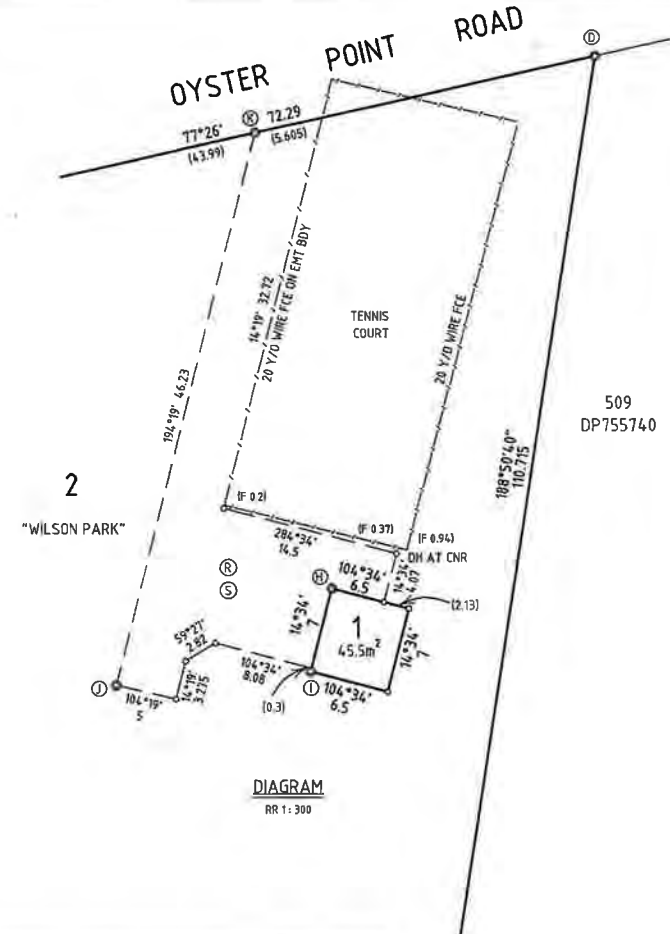
Surveyor's Reference: T15199/20611C-B '2015M7100 (464) Additional Sheets' (RMS:2014130-NR0404)
E.No.15/014-Clause 41(1) CHECKLIST



REFERENCE MARKS

A	102°19'	7.42	RMNAR FD (DP48275)
B	73°37'	0.885	RMGIP FD (DP48275)
C	189°05'	5.31	RMDH&W FD (DP808417)
D	77°20'	0.665	RMGIP FD (R9427 1759)
E	141°26'	0.51	RM CBLK FD (DMR Plan 10s1291) (DP446471)
F	106°51'	0.465	RM CBLK FD (DMR Plan 10s1291) (DP446471)
G	135°58'	0.68	RMGIP FD (R9427 1759)
H	203°13'	3.355	RMDH&W
I	238°54'	1.685	RMDH&W
J	194°20'	0.52	RMGIP
K	204°05'	17.09	RMDH&W

- (R) PROPOSED RIGHT OF ACCESS 5 WIDE AND VARIABLE WIDTH
 (S) PROPOSED EASEMENT FOR SERVICES 5 WIDE AND VARIABLE WIDTH



SURVEYING REGULATION 2006 CLAUSE 61 (2)

MARK	M G A CO-ORDINATES		H CLASS	H ORDER	METHOD	ORIGIN
	EASTING	NORTHING				
SSM31304	553682.773	6878632.355	B	1	SCIMS	FOUND
PM41397	553846.761	6878813.816	B	2	SCIMS	FOUND
PM41398	553887.464	6878747.847	B	2	SCIMS	FOUND
PM41399	553687.969	6878665.944	A	1	SCIMS	FOUND
ZONE 56		CSF 0.999627	SOURCE SCIMS 14/07/08			

PM CONNECTIONS

PM41398 - PM41399	247°40'46", 215.733 ME & MGA (GND)
(AZIMUTH)	
PM41399 - SSM31304	188°50'20", 34.005 ME 188°47'37", 34.002 MGA (GND)
PM41397 - PM41398	148°19'12", 77.544 ME 148°19'31", 77.544 MGA (GND)

Surveyor: COLIN JOHN LUTTON
 Date of Survey: 08/11/2008
 Surveyor's Ref: 0703a

PLAN OF PROPOSED ACQUISITION OF LOT 1 FOR WATER SUPPLY PURPOSES, RIGHT OF ACCESS AND EASEMENT FOR SERVICES.

LGA: TWEED
 Locality: BANORA POINT
 Subdivision No: —
 Lengths are in metres. Reduction Ratio 1: 1000

Registered
 2.7.2009

DP1140522 P

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 1 sheet(s)

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

IT IS PROPOSED TO ACQUIRE LOT 1 (LAND IN 7009/1069422) FOR WATER SUPPLY PURPOSES.

IT IS PROPOSED TO ACQUIRE THE RIGHT OF ACCESS 5 WIDE AND VARIABLE WIDTH WITHIN 7009/1069422.

IT IS PROPOSED TO ACQUIRE THE EASEMENT FOR SERVICES 5 WIDE AND VARIABLE WIDTH WITHIN 7009/1069422.



DP1140522 S

Registered: 2.7.2009 *

Title System: TORRENS

Purpose: ACQUISITION

PLAN OF PROPOSED ACQUISITION OF LOT 1 FOR WATER SUPPLY PURPOSES, RIGHT OF ACCESS AND EASEMENT FOR SERVICES.

LGA: TWEED

Locality: BANORA POINT

Parish: TERRANORA

County: ROUS

Use PLAN FORM 6A

for additional certificates, signatures, seals and statements

Crown Lands NSW/Western Lands Office Approval

I, Stephen Houlahan in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature: [Signature]

Date: 15 May 2009

File Number: CE054951

Office: CE054951

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed set out herein
(insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:

Date of Endorsement:

Accreditation no:

Subdivision Certificate no:

File no:

* Delete whichever is inapplicable.

Surveying Regulation, 2006

I, Colin John Lutton
of Tweed Shire Council
a surveyor registered under the *Surveying Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying Regulation, 2006* and was completed on: 8/11/2008

The survey relates to
Lot 1 & easements only.....

(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature [Signature] Dated: 8/11/08...
Surveyor registered under the *Surveying Act, 2002*

Datum PM41398 - PM41399 MGA

Type: Urban

Plans used in the preparation of survey/compilation

DP1069422	DP257489	DP1008525
DP871171	DP48275	DP1116066
DP101922	DP1070700	DP833698
R9523 1759	R9427 1759	DMR 10s1291

(if insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE:0703a

* OFFICE USE ONLY



Trade & Investment Crown Lands

Our Ref: 08/4237 (Acc: 543819)

Your Ref: 10/438.11156

Date: 16/03/2015

Roads & Maritime Services
PO BOX 579
GRAFTON NSW 2460

Attention: Robert Macfarlane

Proposed Compulsory Acquisition of Crown Land & Easements Banora Point Upgrade Project

I refer to your letter dated 18th November 2014 regarding the proposed compulsory acquisition of Part Lot 538 DP 128780, Part Lot 2 DP 1140522 & Part Lot 7008 DP 1069422 and easements over Part Lot 2 DP 1140522 & Part Lot 7008 DP 1069422 as shown on the attached diagrams A, B & C.

NSW Trade & Investment - Crown Lands consents to the above acquisition proceeding under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 (LAJTCA) subject to:-

- Consent to acquire is valid for a period of 12 months from the date of this letter and as such the *Notice of Acquisition* must appear in the *Government Gazette* within this period;
- Should the acquisition not be finalised within 12 months from the date of this letter, you will need to reapply for consent and additional administration fees may apply;
- Until such time as the acquisition has been finalised entry upon or use of the Crown land for any purpose will require the written consent of Crown Lands;
- The amount of compensation payable will be that as defined in Section 55 of the LAJTCA and is to be determined by the Valuer General;
- Grafton Crown Lands office has approved the transfer of the residue of Lot 676 DP 257489 and Lots 1 & 2 DP 833698 shown on Diagrams D, E & F as part of the compensation for the Crown Lands acquired.
RMS should identify these lands in the valuation.
- The acquisition is to be completed in accordance with the Native Title Act 1993 and as such you will need to make your own enquiries to ensure full compliance with the respective requirements;
- Any current Aboriginal Land Claims identified by Crown Lands at the time of consent will be noted below, however you will need to make your own enquiries with the Office of the Registrar, Aboriginal Land Rights Act 1983 (NSW) to ensure all current claims are identified and appropriately dealt with prior to the acquisition proceeding;

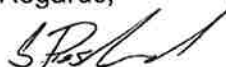
If you agree, and have satisfied the above matters, acquisition may proceed under the provisions of Section 29(4) LAJTCA.

This letter is to be treated as a formal claim for compensation by the State of NSW under Section 39 of the LAJTCA.

Following gazettal please forward a copy of the gazette notice, the compensation determination and your cheque for the compensation amount. A tax invoice will then issue for the compensation payment plus any statutory interest that may be payable under Section 49 of the LAJTCA.

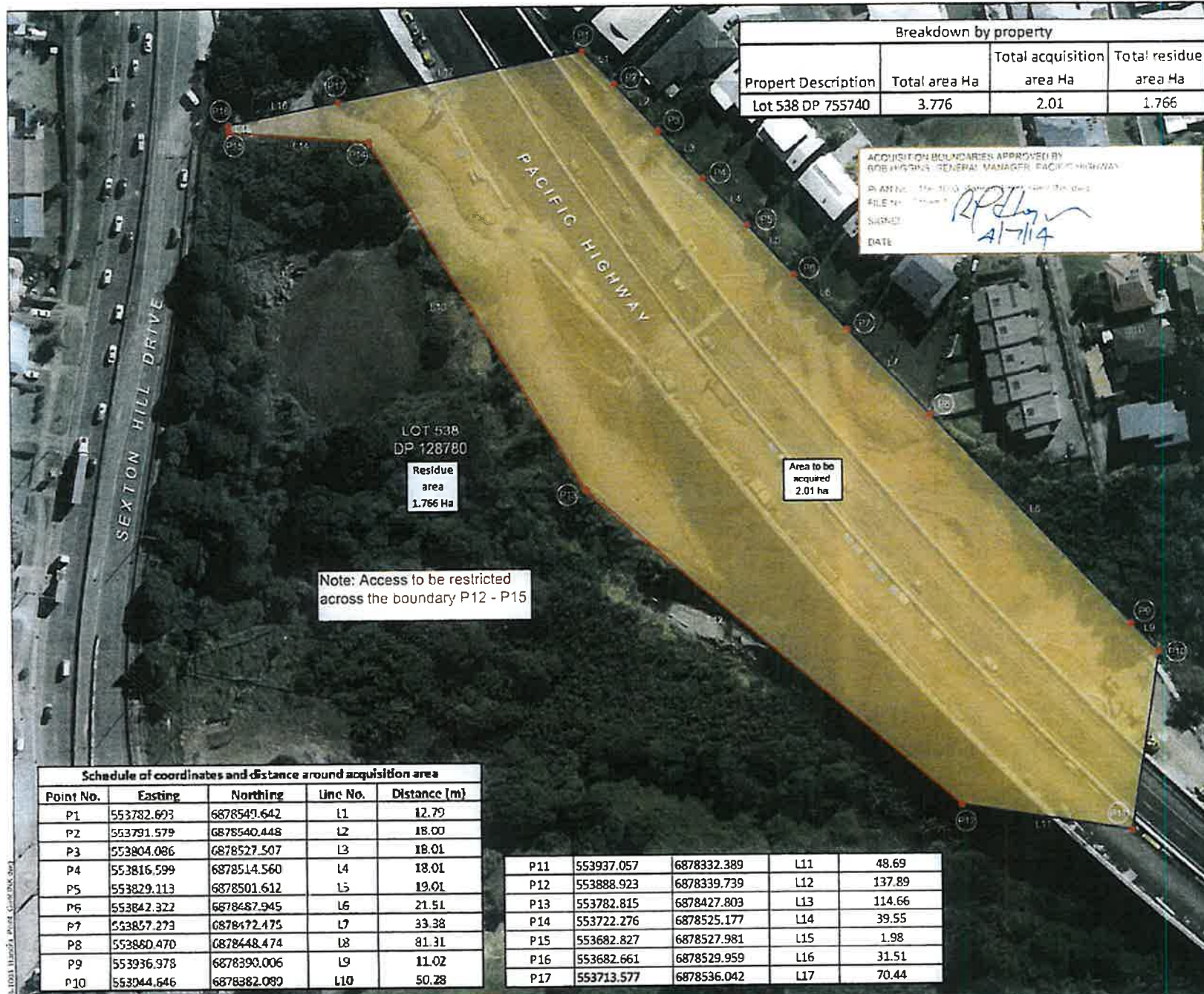
For any further enquiries please contact the Acquisitions Team on (02) 4937 9306 or email CL.acquisitions@crowmland.nsw.gov.au

Regards,



Shaun Presland
Commercial Officer 3/4
Acquisitions Team
Regional and Strategic Projects
Crown Lands, NSW Trade & Investment

Diagram 'A'



Breakdown by property			
Propt Description	Total area Ha	Total acquisition area Ha	Total residue area Ha
Lot 538 DP 755740	3.776	2.01	1.766

ACQUISITION BOUNDARIES APPROVED BY
BOB HIGGINS GENERAL MANAGER PACIFIC HIGHWAY
PLAN No. 154-1013 (SOUTH COAST CORP) (PAC) (S) (S) (S)
FILE No. 154-1013
SIGNED: *[Signature]*
DATE: 4/7/14



PROPERTY ACQUISITION SKETCH

Acquisition from:
Lot 538 DP 128780
CROWN RESERVE

LGA: TWEED
Locality: BANORA POINT

Legend

- Area to be acquired
- Property of interest
- Boundary adjustment



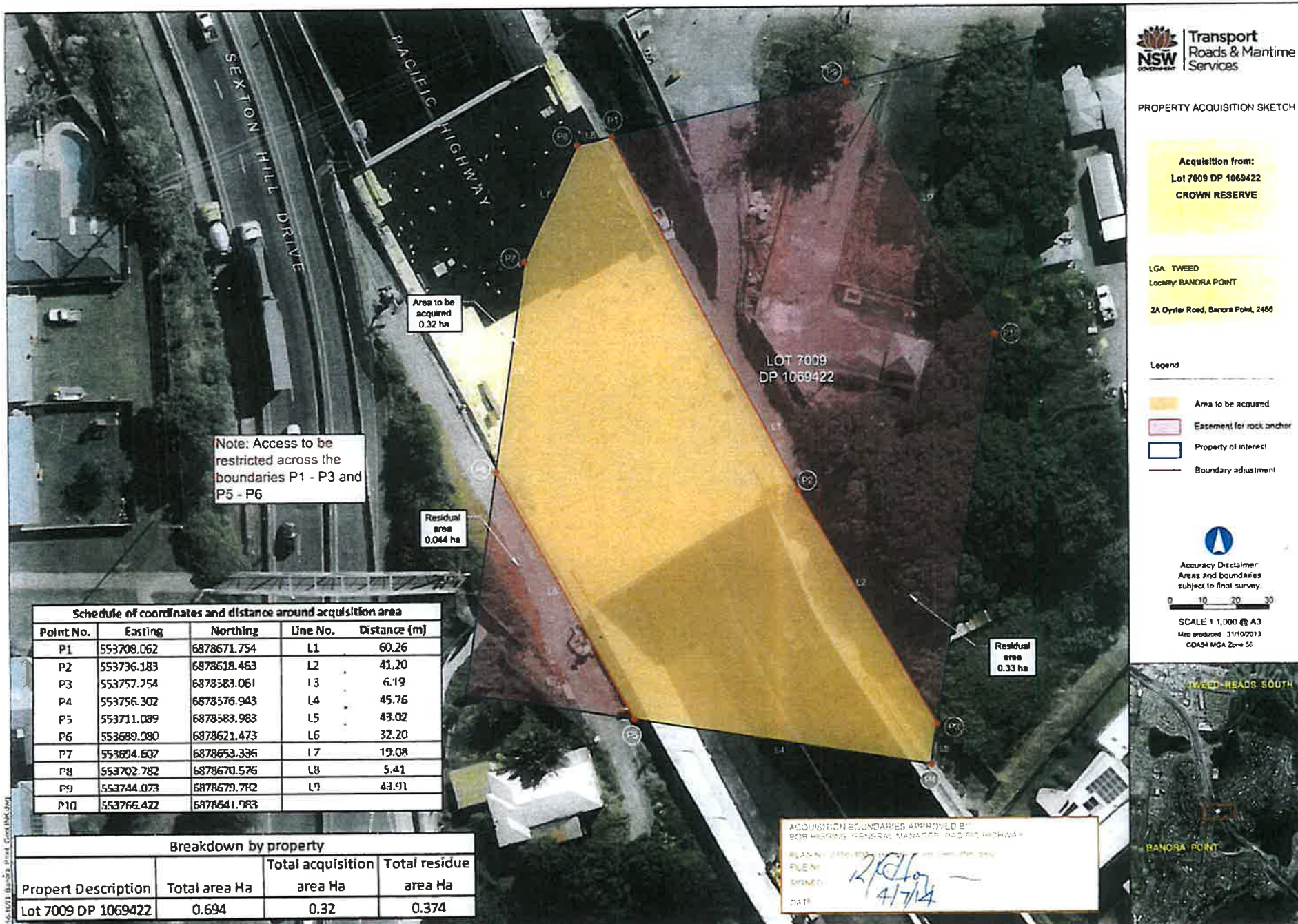
Accuracy Disclaimer
Areas and boundaries
subject to final survey
SCALE 1:2,000 @ A3
Map produced: 31/10/2013
GD414 MGA Zone 56



Schedule of coordinates and distance around acquisition area				
Point No.	Easting	Northing	Line No.	Distance (m)
P1	553782.693	6878549.642	L1	12.79
P2	553791.579	6878540.448	L2	18.00
P3	553804.086	6878527.507	L3	18.01
P4	553816.599	6878514.560	L4	18.01
P5	553829.113	6878501.612	L5	19.01
P6	553842.322	6878487.945	L6	21.51
P7	553857.273	6878472.475	L7	33.38
P8	553860.470	6878448.474	L8	81.31
P9	553936.978	6878390.006	L9	11.02
P10	553944.646	6878382.089	L10	50.28

P11	553937.057	6878332.389	L11	48.69
P12	553888.923	6878339.739	L12	137.89
P13	553782.815	6878427.803	L13	114.66
P14	553722.276	6878525.177	L14	39.55
P15	553682.827	6878527.981	L15	1.98
P16	553682.661	6878529.959	L16	31.51
P17	553713.577	6878536.042	L17	70.44

Diagram 'B'







PROPERTY ACQUISITION SKETCH

LGA: TWEEED

Locality: BANORA POINT

2A Oyster Road, Barons Point, 2488

Legend

-  Area to be acquired
 Easement for rock anchor
 Property of interest
 Boundary adjustment



Accuracy Disclaimer:
Areas and boundaries
subject to final survey.



SCALE 1:1,000 @ A3
Map produced 31/10/2013
GDAM MGA Zone 56

Schedule of coordinates and distance around acquisition area				
Point No.	Easting	Northing	Line No.	Distance (m)
P1	553675.422	6878741.765	L1	24.20
P2	553685.068	6878719.571	L2	14.23
P3	553673.189	6878727.402	L3	14.54
P4	553710.375	6878756.687	L4	127.30
P5	553736.632	6878698.707		

Breakdown by property			
Propert Description	Total area Ha	Total acquisition area Ha	Total residue area Ha
Lot 7008 DP 1069422	0.39	0.0094	0.38

ACQUISITION BOUNDARIES APPROVED BY
BOB HIGGINS, GENERAL MANAGER, PACIFIC MILITARY

PLAN# 2154-10-2
FILE#
SHEET
DATE 4/7/12

0116-1003 *Bandes Photo-Color* 9x17

Diagram 'D'



PROPERTY ACQUISITION SKETCH

Subdivision of
Lot 676 DP 257489
RMB

LGA: TWEED
Locality: BANORA POINT

82 Sexton Hill Drive, Banora Point, 2486

Legend

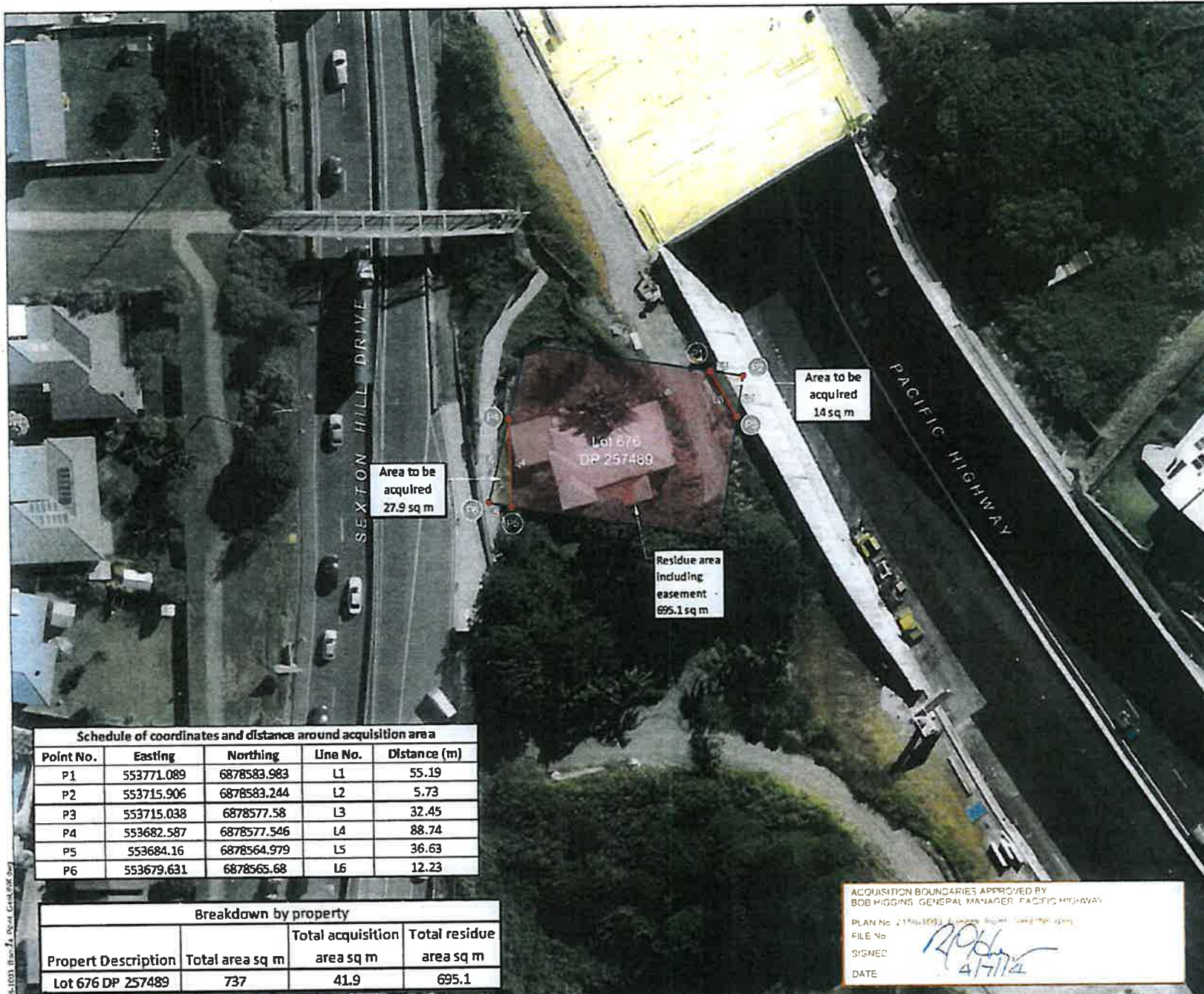
- Area to be acquired
- Easement for Soil Nail / Rock Anchor
- Property of interest
- Boundary adjustment



Accuracy Disclaimer:
Areas and boundaries
subject to final survey.

0 10 20 30

SCALE 1:1,000 @ A3
Map produced: 31/10/2015
GDAB4 MGA Zone 56



Schedule of coordinates and distance around acquisition area

Point No.	Easting	Northing	Line No.	Distance (m)
P1	553771.089	6878583.983	L1	55.19
P2	553715.906	6878583.244	L2	5.73
P3	553715.038	6878577.58	L3	32.45
P4	553682.587	6878577.546	L4	88.74
P5	553684.16	6878564.979	L5	36.63
P6	553679.631	6878565.68	L6	12.23

Breakdown by property

Property Description	Total area sq m	Total acquisition area sq m	Total residue area sq m
Lot 676 DP 257489	737	41.9	695.1

ACQUISITION BOUNDARIES APPROVED BY
BOB HIGGINS, GENERAL MANAGER, PACIFIC HIGHWAY

PLAN No. 21/04/10/01 - Property Acquisition (Landowner Agency)

FILE No.

SIGNED

DATE

Bob Higgins
4/11/14

Diagram 'E'



PROPERTY ACQUISITION SKETCH

Subdivision of
Lot 2 DP 833698
RMS

LGA: TWEED
Locality: BANORA POINT
60 Sexton Hill Drive, Banora Point, 2486

Legend

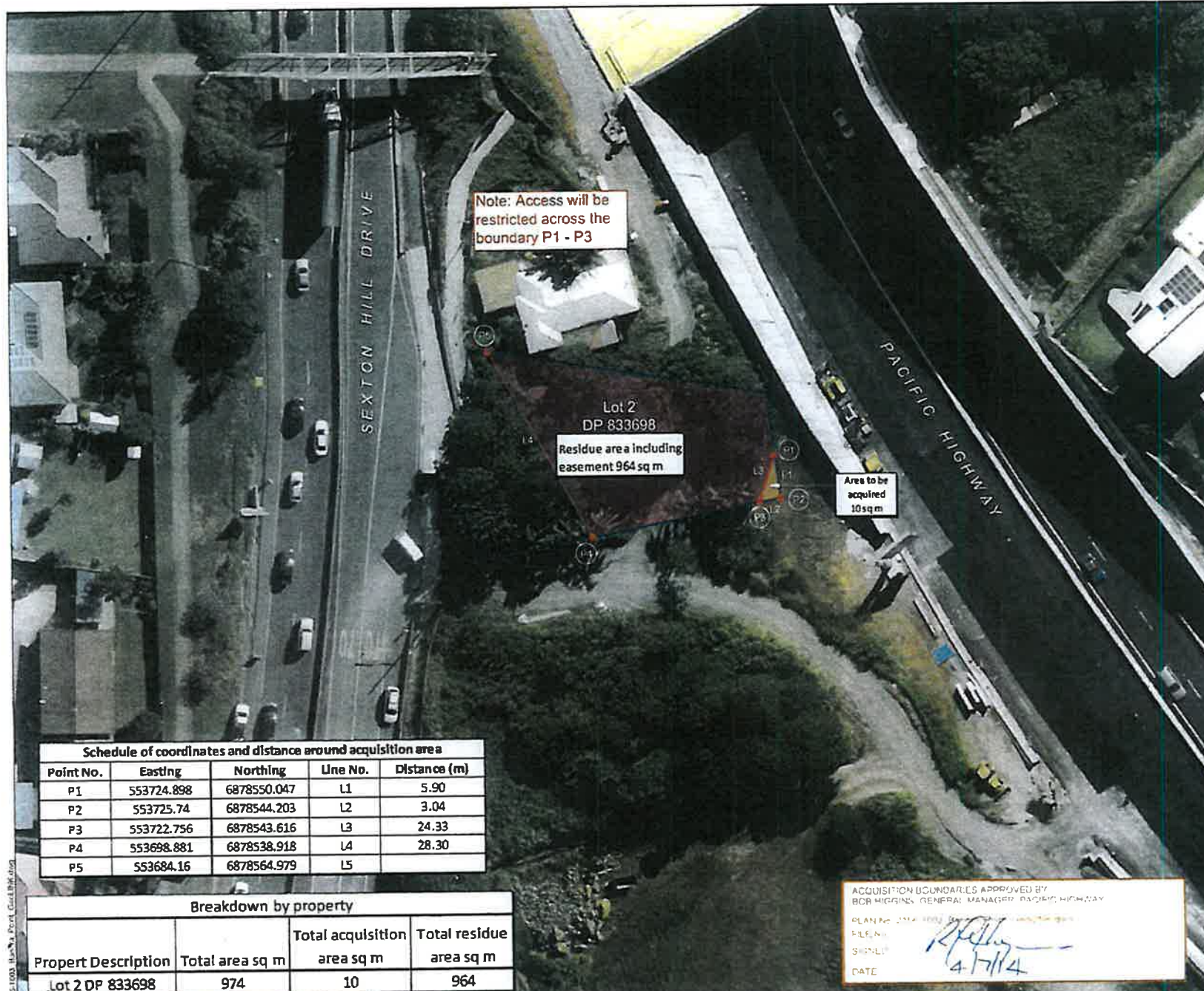
- Area to be acquired
- Easement for rock anchor
- Property of Interest
- Boundary adjustment



Accuracy Disclaimer
Areas and boundaries
subject to final survey

0 10 20 30

SCALE 1:1,000 @ A3
Map produced 31/10/2013
GDMA MGA Zone 56



Schedule of coordinates and distance around acquisition area

Point No.	Easting	Northing	Line No.	Distance (m)
P1	553724.898	6878550.047	L1	5.90
P2	553725.74	6878544.203	L2	3.04
P3	553722.756	6878543.616	L3	24.33
P4	553698.881	6878538.918	L4	28.30
P5	553684.16	6878564.979	L5	

Breakdown by property

Propt Description	Total area sq m	Total acquisition area sq m	Total residue area sq m
Lot 2 DP 833698	974	10	964

ACQUISITION BOUNDARIES APPROVED BY
BOR HIGGINS, GENERAL MANAGER, PACIFIC HIGHWAY

PLAN No. 2014/0003

FILE No.

SIGNATURE

DATE

[Signature]
4/7/14

Diagram 'F'



PROPERTY ACQUISITION SKETCH

Subdivision of
Lot 1 DP 833698
RMS

LGA: TWEED
Locality: BANDORA POINT
58 Sexton Hill Drive, Bandora Point, 2456

Legend

- Area to be acquired
- Easement for rock anchor
- Property of interest
- Boundary adjustment



Accuracy Disclaimer:
Areas and boundaries
subject to final survey.

0 10 20 30

SCALE 1:1,000 @ A3
Map produced 31/10/2013
CRAS MGA Zone 56



Note: Access will be
restricted across the
boundaries P1 -P2,
P3 - P4 and P5 - P7

Lot 1
DP 833698

Residual
area
0.0098 ha

Residual
area
0.016 ha

Area to be
acquired
0.0046 ha

Area to be
acquired
0.18 ha

Schedule of coordinates and distance around acquisition area				
Point No.	Eastings	Northing	Line No.	Distance (m)
P1	553715.038	6878577.58	L1	20.55
P2	553723.622	6878558.914	L2	
P3	553722.756	6878543.616	L3	6.91
P4	553719.967	6878537.299	L4	
P5	553701.603	6878533.686	L5	19.31
P6	553682.661	6878529.959	L6	4.77
P7	553682.255	6878534.71	L7	

Breakdown by property			
Property Description	Total area ha	Total area of acquisition ha	Total residual area ha
Lot 1 DP 833698	0.212	0.185	0.027
TOTAL	0.212	0.185	0.027

ACQUISITION BOUNDARIES APPROVED BY
BOB HIGGINS GENERAL MANAGER PACIFIC HIGHWAY

PLAN No. 2744 (100) BANDORA POINT PACIFIC HIGHWAY

FILE No.

SIGNED

DATE

[Signature]
4/7/14