Job Number @ Type here

Functional Specification Template

C7525 - Native Title, Land Acquisition and Limitation of Access

* To be used as a guide when compiling project-specific specifications.
* @ = project-specific detail required.
* For clauses/items not required – insert text “Not Required” in clause heading, do not delete clause.
* Delete this table when document finalised.

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# General

As stated in Clause 1.2 of C7523 the Functional Specification - Preliminary Design, the completed Preliminary Design must be developed to the extent that resumption plans can be prepared and issued without risk of needing to change the resumption requirements (issues such as sedimentation ponds, noise barriers and so on. must be fully resolved in the detailed planning).

## Definitions/abbreviations/acronyms

The most common definitions/abbreviation/acronyms that relate to the delivery of road infrastructure projects are contained in the various relevant Department of Transport and Main Roads (the department) manuals, such as:

* Road Planning and Design
* Road Drainage
* Drafting and Design Presentation Standards
* Queensland Manual of Uniform Traffic Control Devices
* Road Landscape
* Soil Management
* Pavement Rehabilitation
* Pavement Design Supplement
* Design Criteria for Bridges and Other Structures
* Geotechnical Design Standards
* Standard Drawings Roads
* Transport and Main Roads Technical Specifications
* Road Traffic Air Quality Management
* Transport Noise Management Code of Practice – Volumes 1, 2 and 3
* The department's Transport Infrastructure Project Delivery System
* Project Cost Estimating
* Sustainability Framework, and
* Environmental manuals and guidelines

Link: Technical Publications webpage (<https://www.tmr.qld.gov.au/trc>)

In addition, throughout the Functional Specifications the following are used:

| Terms, abbreviations and acronyms | Meaning |
| --- | --- |
| ASD | Approach Sight Distance |
| BC | Business Case |
| BCR | Benefit Cost Ratio |
| CBR | California Bearing Ratio |
| CH | Cultural Heritage |
| CHMA | Cultural Heritage Management Agreement |
| CHMP | Cultural Heritage Management Plan |
| CHRA | Cultural Heritage Risk Assessment |
| CMP | Compliance Management Plan |
| Consultant | Concept and or Development phase Consultant (this contract) |
| Contract Administrator | Department Administrator, as referred as Administrator in a typical Construct Only Contract |
| Contractor | Construction Contractor |
| DBYD | Dial Before You Dig |
| DCP | Dynamic Cone Penetrometer |
| DD | Detailed Design Stage |
| Department | Department of Transport and Main Roads |
| EAR | Environmental Assessment Report |
| EDR | Environmental Design Report |
| EMP(C) | Environmental Management Plan (Construction) |
| EMP(P) | Environmental Management Plan (Planning) |
| EMP(SI) | Environmental Management Plan (Site Investigations) |
| EPM | Environmental Processes Manual |
| ESD | Entering Sight Distance |
| ESR | Environmental Scoping Report |
| GIS | Geographic Information System |
| HADR | Hydraulic Analysis and Design Report |
| IAS | Impact Assessment Study |
| MGSD | Minimum Gap Sight Distance |
| NT | Native Title |
| OA | Options Analysis Stage (also referred as Preliminary Evaluation Stage) |
| PD | Preliminary Design Stage |
| Principal | The State of Queensland acting through the Department of Transport and Main Roads |
| Project Manager | Department Project Manager |
| PUP | Public Utility Plant |
| RDM | Road Drainage Manual |
| REF | Review of Environmental Factors |
| ROW | Right of Way |
| RPDM | Road Planning and Design Manual |
| SEO | Senior Environment Officer |
| SISD | Safe Intersection Sight Distance |
| TRACS | Traffic Responsive Adaptive Control System |

## Purpose of defining area for native title evaluation, land acquisition and access limitation

Defining the area for native title evaluation must ensure that all land that may be affected by the project is identified.

The completed land acquisition must:

* provide adequate land for construction of the project
* modify existing access limitation to meet the proposed arrangements, and
* reflect policy.

Access limitation must:

* provide the department with adequate access control over the road.

# Summary of work under the Contract

## Scope of works

Without limiting the generality of any other provision of the Contract, defining the area for native title evaluation, land acquisition and access limitation shall include but not be limited to the following:

* defining the area over which the project will be constructed so that the department can carry out a native title evaluation
* determining draft land requirements
* preparation of resumption plan
* procuring local government information
* determining draft access limited requirements, and
* preparation of access limited plans.

## Defining area for native title evaluation

The Consultant shall identify the area of land required for construction of the project or that are necessary or incidental to the project, including existing road reserve and areas of potential resumption. The consultant is to detail the potential works or dealings that will be undertaken on those areas of land.

The Project Manager will then arrange for the native title evaluation to be carried out by others, either the relevant people in their district/region or the department’s Native Title Unit. The Consultant shall define the maximum possible area for construction and resumption. If several options are being evaluated, the Consultant shall define the total possible area for all options by the milestone reference date.

## Land acquisition

The Consultant shall follow the procedure defined in local document:

|  |
| --- |
| Project Manager: include reference to local document for example the district's Code of Practice for Preparation of Resumption Documentation. |

The Consultant shall pay all fees associated with obtaining rates information from the local government.

## Access limitation

The Consultant shall follow the procedure defined in local document:

|  |
| --- |
| Project Manager: include reference to local document for example the district's Code of Practice for Preparation of Access Limited Documentation. |

# Deliverables

The Consultant shall produce the following deliverables (as applicable) to complete its native title evaluation, land acquisition and limitation of access responsibilities:

* resumption documentation
* access limited document, and
* the areas that should be subject to native title evaluation.

Link: Drafting and Design Presentation Standards webpage (<https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Drafting-and-design-presentation-standards>)

# Payment

Payment for all works to deliver the native title clearance, resumption plans, limitation of access plans and associated documentation is deemed to be included in Item RP1 Native Title, Land Acquisition and Limitation of Access and Associated Documentation.