



AUSTRALIAN CAPITAL TERRITORY

Land Acquisition (Northbourne Oval) Act 1996

No. 84 of 1996

An Act relating to the acquisition for the Commonwealth of certain land in the Territory

[Notified in ACT Gazette S328: 20 December 1996]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Land Acquisition (Northbourne Oval) Act 1996*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Interpretation

3. (1) In this Act, unless the contrary intention appears—

“interest”, in relation to land, means—

- (a) any legal or equitable estate or interest in the land;
- (b) any restriction on the use of the land, whether or not annexed to other land; or
- (c) any other right (including a right under an option and a right of redemption), charge, power or privilege over or in connection with the land or an interest in the land;

“Lands Acquisition Act” means the *Lands Acquisition Act 1994*;

“person” does not include the Commonwealth;

“relevant land” means the land comprising Block 1, Section 30, Division of Braddon, Canberra Central District, being the land on which the sporting facility known as Northbourne Oval is situated.

(2) In the provisions of the Lands Acquisition Act applied by this Act, a reference to that Act shall be taken to include a reference to this Act.

Acquisition of land

4. (1) The Executive may, by notice published in the *Gazette*, declare that the relevant land (other than the interests of the Commonwealth in the land) is acquired for the Commonwealth.

(2) On the publication in the *Gazette* of a notice under subsection (1), the relevant land is—

- (a) vested in the Commonwealth; and
- (b) freed and discharged from all other interests and from all trusts, restrictions, dedications, reservations, obligations, mortgages, encumbrances, contracts, licences, charges and rates.

Possession of land

5. The Executive is entitled to vacant possession of the relevant land 7 days after publication in the *Gazette* of a notice under subsection 4 (1).

Conversion of interests into claims for compensation

6. On the publication in the *Gazette* of a notice under subsection 4 (1), each interest of a person in the relevant land is converted into a right to compensation under this Act.

Notices to owners

7. The Executive shall, as soon as practicable after the acquisition of the relevant land under subsection 4 (1), cause a copy of a notice of the acquisition, in such form as the Executive determines, to be served upon each person who had an interest in the land immediately before it was acquired, or upon such of them as can, after diligent inquiry, be ascertained.

Registration of acquisition

8. (1) As soon as practicable, and in any event, within 28 days, after the publication in the *Gazette* of a notice under subsection 4 (1), the Chief Executive shall cause to be lodged with the Registrar-General a memorandum setting out particulars of the declaration.

- (2) The Registrar-General shall—
- (a) deal with and give effect to the declaration as if it were a grant, conveyance or transfer of the acquired interest to the Commonwealth duly executed under the laws of the Territory; and
 - (b) make such entries in the records kept by the Registrar-General as are necessary having regard to the effect of subsection 4 (2).

Compensation for acquisition

9. Part VI of the Lands Acquisition Act applies in relation to interests in the relevant land that have been acquired on behalf of the Commonwealth under this Act as if the relevant land had been acquired by compulsory process under the Lands Acquisition Act on the day on which the notice of acquisition of the land was published in the *Gazette* under subsection 4 (1).

Application of provisions of Lands Acquisition Act

10. Sections 105, 106, 107, 110 and 112 to 116 (inclusive) of the Lands Acquisition Act apply in relation to interests in the relevant land that have been acquired on behalf of the Commonwealth under this Act as if the relevant land had been acquired by compulsory process under the Lands Acquisition Act on the day on which the notice under subsection 4 (1) was published in the *Gazette*.

Disposal or interests

11. (1) The Executive may dispose of an interest in land acquired under this Act in any way authorised by the *Land (Planning and Environment) Act 1991*.

(2) The Executive is not required to comply with the provisions of Part IX of the Lands Acquisition Act in disposing of an interest in land acquired under this Act.

Effect of Lands Acquisition Act

12. This Act has effect despite anything contained in the Lands Acquisition Act.

[Presentation speech made in Assembly on 10 December 1996]