

1996

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

LAND ACQUISITION (NORTHBOURNE OVAL) BILL 1996

EXPLANATORY MEMORANDUM

Circulated by Authority of Gary Humphries MLA

Minister for the Environment, Land and Planning

Outline

The Land Acquisition (Northbourne Oval) Bill 1996 (the Bill) provides for the compulsory acquisition of Block 1 Section 30 in the Division of Braddon in the Australian Capital Territory

While certain provisions of the *Lands Acquisition Act 1994* are expressly applied by the Bill, the operation of other provisions is excluded

The Bill provides for

- the declaration of an acquisition,
- the vesting of the “relevant land” in the Commonwealth and the entitlement to vacant possession
- compensation to be payable to the holders of acquired interests,
- notification and registration of the acquisition; and
- the disposal of acquired interests

Financial Implications

The Bill requires compensation to interest holders, and allows for disposal of the acquired interests after acquisition.

CLAUSE NOTES

Clases 1 and, 2 - Short Title, and Commencement - are machinery provisions that specify the short title of the Bill, and provide for the commencement of the Bill

Clause 3 - Interpretation - defines "interest", "Lands Acquisition Act", "person" and "relevant land" "Relevant land" means Block 1 Section 30 Division of Braddon, being the land on which the sporting facility known as Northbourne Oval is situated

Clause 4 - Acquisition of land - provides that the Executive may, by notice in the Gazette, declare the relevant land to be acquired for the Commonwealth Upon publication of the notice, the relevant land is vested in the Commonwealth, and is freed from all other interests and encumbrances.

Clause 5 - Possession of land - provides that the Executive is entitled to possession of the relevant land 28 days after publication of a notice of acquisition

Clause 6 - Conversion of interests into claims for compensation - provides that the interest of a person in the relevant land is converted into a right to compensation under this Bill when the acquisition of the interest is notified

Clause 7 - Notices to owners - requires the Executive, as soon as practicable after the acquisition of the relevant land, to serve notice of the acquisition on each person having an interest in the land If those persons are not known, it is sufficient that notice is given to each person that can be ascertained.

Clause 8 - Registration of acquisition - requires the Executive, within 28 days after publication of notice of the acquisition, to lodge particulars of the declaration of the acquisition with the Registrar-General. The Registrar-General is to give effect to the declaration and make appropriate entries in the records kept by the Registrar-General

Clause 9 - Compensation for acquisition - applies Part VI of the *Lands Acquisition Act 1994* in relation to an acquisition under this Bill as if it were an acquisition under the Lands Acquisition Act.

Clause 10 - Application of provisions of the Lands Acquisition Act - applies sections 105, 106, 107, 110 and 112 to 116 (inclusive) of the *Lands Acquisition Act 1994* in relation to an acquisition under this Bill as if it were an acquisition under the Lands Acquisition Act

Clause 11 - Disposal of interests - provides that the Executive may dispose of an interest acquired under this Bill in accordance with the provisions of the *Land (Planning and Environment) Act 1991*. In disposing of an interest, the Executive is not required to comply with Part IX of the *Lands Acquisition Act 1994*.

Clause 12 - Effect of Lands Acquisition Act - provides that this Bill has effect despite anything contained in the *Lands Acquisition Act 1994*.