

# **Lands Acquisition (Reconsideration of pre-acquisition declaration—Block 4 Section 33 Division of Dickson) Confirmation 2015**

## **Disallowable instrument DI2015–248**

made under the

**Lands Acquisition Act 1994, s24 (Reconsideration of pre-acquisition declaration) and s25 (Notification of confirmation of pre-acquisition declaration, etc)**

## **EXPLANATORY STATEMENT**

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### **Introduction**

This explanatory statement relates to the *Lands Acquisition (Reconsideration of pre-acquisition declaration—Block 4 Section 33 Division of Dickson) Confirmation 2015* as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the disallowable instrument and to help inform debate on it. It does not form part of the disallowable instrument and has not been endorsed by the Assembly.

### **Overview**

The purpose of the disallowable instrument is to confirm the pre-acquisition declaration (Notifiable Instrument NI2015 – 53) as notified on the legislation register on 11<sup>th</sup> February 2015.

As the Lessee requested reconsideration of the pre-acquisition declaration, confirmation of the pre-acquisition declaration is a requirement of the *Lands Acquisition Act 1994* (Act).

The Act provides for land to be acquired expeditiously and this disallowable instrument achieves this purpose. As the confirmation declaration affects the rights of the Lessee, a Regulatory Impact Statement has been prepared.

The effect of the Instrument is to acquire part of Block 4 Section 33 Division of Dickson for a public purpose being the establishment of the Dickson Bus Interchange. Public purpose means a purpose in respect of which the Legislative Assembly or the Commonwealth Parliament has powers to make laws.

The benefits of acquiring the land are to establish the Dickson Bus Interchange which is integral to the Capital Metro Light Rail Project. The project will promote economic activity and jobs and will be an effective integration of the ACTION bus network and Capital Metro Light Rail project. The development of the Capital Metro light rail and its effective integration into the public transport network is a Government priority.

There will be costs and disadvantages for the lessee of the land. However the lessee can make a claim for compensation on just terms in accordance with the Act.

There are no specific interactions with human rights declared in the *Human Rights Act 2004*. Some may view the acquisition of land as affecting human rights. However the process is in accordance with the Act, including public accountability and transparency, and the lessee has a right under the Act to claim compensation on just terms.

## **Outline of the provisions**

### **Clause1 - Name of instrument**

This clause names the instrument.

### **Clause 2 - Commencement**

This clause provides for the commencement of the instrument.

### **Clause 3 – Confirmation of pre-acquisition declaration**

This clause confirms the pre-acquisition declaration.

### **Clause 4 – Reasons for decision**

This clause provides the reasons for the decision.