

Government Agencies (Land Acquisition Reporting) Regulation 2019

Subordinate law SL2019–19

made under the

Government Agencies (Land Acquisition Reporting) Act 2018, section 12 (Regulation-making power)

EXPLANATORY STATEMENT

Outline

The *Government Agencies (Land Acquisition Reporting) Act 2018* (the Act) requires the publication of quarterly reports of all land acquisitions by all government agencies, including Directorates, Territory authorities and Territory-owned corporations.

The Act requires details of the relevant land and a summary of matters such as how the acquisition is consistent with the public interest; value for money; the Territory Plan; and the functions of acquiring authority.

From 1 July 2019, the Act will also apply to Icon water and will require reporting on the acquisition of all easements by Icon Water or other Government agencies, subject to any exemption regulation. This reporting will be published in October 2019.

The Government Agencies (Land Acquisition Reporting) Regulation 2019 (the Regulation) prescribes two types of land acquisitions that are excluded from reporting:

- easements that were acquired for less than \$10,000; and
- easements that were acquired for no compensation.

Without this exemption, it is estimated that up to 1,000 minor easements would need to be reported each quarter, including utility easements in new suburbs, and relocation of utility easements in existing suburbs. Reporting on these minor easements would cause a significant administrative burden for limited purpose and be contrary to the overall intent of the Act.

The Regulation exempts these minor easements from reporting, with significant easements acquired for compensation above \$10,000 to remain included in the quarterly reporting requirement.

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.

A regulatory impact statement is not required for this Regulation, as it is unlikely to impose appreciable costs on the community (section 34 of the *Legislation Act 2001*), and it does not operate to the disadvantage of any party (section 36(1)(b) of the *Legislation Act 2001*).

Outline of provisions

Clause 1 Name of regulation

This clause names the regulation as the Government Agencies (Land Acquisition Reporting) Regulation 2019.

Clause 2 Commencement

This regulation commences on the day after its notification day.

Clause 3 Easements – Act s 7 (2) (b)

This clause prescribes the easements to be exempted from reporting under the Act:

- easements that were acquired for less than \$10,000; and
- easements that were acquired for no compensation.