1. The *Acquisition of Land Act 1967*, which has had no major amendments for almost 40 years, provides the processes to be followed by constructing authorities empowered under State legislation to compulsorily acquire land for public purposes. Compulsory acquisition is also guided by an extensive body of case law.
2. It is in the State’s interest to ensure that there are no delays in completing compulsory acquisition and hence project start dates.
3. The Acquisition of Land and Other Legislation Amendment Bill 2008 will amend the Act to:
* constrain the meaning of the term ‘interest’ in the Act, in order to limit the class of persons who must be served with a notice of intention to resume and who may be entitled to claim compensation;
* clarify process matters and update the language of the Act. These amendments will reduce the risk of time delays and legal challenges by codifying current practices and improving consistency of payment of compensation among the constructing authorities;
* introduce a statutory time limit on allowing a claim for compensation of three years in line with limitation periods imposed by the land acquisition legislation in other States. The amendment also provides a safeguard that enables constructing authorities or the Land Court to accept claims outside the statutory period; and
* broaden the class of claimants entitled to be paid consequential costs for the purchase of a replacement property, and include consequential costs on investment properties.
1. Cabinet approved that the Acquisition of Land and Other Legislation Amendment Bill 2008 be introduced into the Legislative Assembly.
2. *Attachments*
* [Acquisition of Land and Other Legislation Amendment Bill 2008](Attachments/AcqLandOLAB08.pdf)
* [Explanatory Notes](Attachments/AcqLandOLAB08Exp.pdf)