

Queensland



LAND ACQUISITION AMENDMENT BILL 2004

Queensland



LAND ACQUISITION AMENDMENT BILL 2004

TABLE OF PROVISIONS

Section		Page
1	Short title	4
2	Act amended	4
3	Amendment of s 7 (Notice of intention to take land)	4
4	Amendment of s 20 (Assessment of compensation)	4

2004

A BILL

FOR

An Act to amend the Acquisition of Land Act 1967

The Parliament of Queensland enacts—

1

Clause 1 Short title

2

This Act may be cited as the *Land Acquisition Amendment Act 2004*.

3

Clause 2 Act amended

4

This Act amends the *Acquisition of Land Act 1967*.

5

Clause 3 Amendment of s 7 (Notice of intention to take land)

6

(1) Section 7(2), after ‘shall’—

7

insert—

8

‘, as soon as practicable after the constructing authority decides to resume the land,’.

9

10

(2) Section 7(3)—

11

insert—

12

‘(g) state the date by which the constructing authority needs the land for the purpose mentioned in paragraph (a).’.

13

14

Clause 4 Amendment of s 20 (Assessment of compensation)

15

Section 20—

16

insert—

17

‘(2A) In addition to the compensation assessed under subsection (2), compensation is also payable for—

18

19

(a) any reduction in the value of the claimant’s interest in the land that may have been caused by a public expectation that the land could be resumed; and

20

21

22

(b) the value of the claimant’s special knowledge of the particular parcel of land, that can not immediately transfer to another parcel of land including—

23

24

25

(i) the water flow over the land; and

26

Land Acquisition Amendment Bill 2004

- (ii) the carrying capacity of the land for crops or stock; and 1
- (iii) appropriate cropping and management systems for the land; 2
- and 3
- (c) the personal cost to the claimant of moving from the land; and 4
- (d) the financial cost to the claimant of finding and purchasing a 5
- replacement parcel of land including, for example, outlays on 6
- legal fees and stamp duty; and 7
- (e) the claimant's relocation costs including the cost of relocating 8
- stock, machinery and household effects; and 9
- (f) the reasonable cost of independent valuation and legal advice 10
- incurred by the claimant in relation to the notice of intention to 11
- resume; and 12
- (g) any taxation liability incurred by the claimant in relation to the 13
- resumption and relocation, for example, capital gains tax.' 14