

Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Bill 2020

Explanatory Notes

FOR

Amendments To Be Moved During Consideration In Detail By The Honourable Mark Bailey MP, Minister for Transport and Main Roads

Title of the Bill

Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Bill 2020.

Objectives of the Amendment

The objective of the amendment is to streamline the administrative process for including subsequent parcels of land declared as busway land into the existing busway perpetual lease.

The proposed amendment provides that if the chief executive gives notice to the registrar of titles to include subsequent parcels of land (declared as busway land) in the existing busway perpetual lease, the registrar must register the subsequent parcels of land in the existing perpetual lease in the land registry.

This provision is important to streamline the administrative processes for including land into the existing busway perpetual lease for both the Department of Transport and Main Roads and the Department of Natural Resources, Mines and Energy. The amendment provides for the effective and efficient declaration of land for major infrastructure projects.

Achievement of the Objectives

The objective will be achieved by amending clause 38 to allow the chief executive to directly instruct the registrar of titles to include subsequent parcels of land declared as busway land in the existing busway perpetual lease.

Alternative ways of achieving policy objectives

There are no alternative ways to achieve the policy objective, other than through legislative amendment.

Estimated cost for government implementation

There are no financial implications as the amendment is administrative in nature. The implementation of a clear legislative process will enable the chief executive to directly provide instruction to the registrar of titles reducing the costs for government for interagency transactions.

Consistency with fundamental legislative principles

The amendment is consistent with fundamental legislative principles.

Consultation

Consultation was undertaken with the Department of Natural Resources, Mines and Energy and the Titles Office. The amendment is purely administrative in nature, streamlining the administrative process when including subsequent parcels of land declared as busway land in the existing busway perpetual lease.

Consistency with legislation of other jurisdictions

The amendment is not inconsistent with legislation of the Commonwealth or another State.

NOTES ON PROVISIONS

Part 1 Amendment of *Transport Infrastructure Act 1994*

Clause 38 amends section 303 (Effect on land of busway declaration) and provides the chief executive with the power to directly request the registrar of titles to include subsequent parcels of land in the existing busway perpetual lease. This streamlines the administrative process for subsequent parcels of land declared as busway land to be included in the existing busway perpetual lease by removing the requirement for the chief executive of the Department of Natural Resources, Mines and Energy to procedurally include the subsequent parcels of land in the existing busway perpetual lease.

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