

## EXPLANATORY MEMORANDUM

### HERITAGE OF WESTERN AUSTRALIA (CROWN ACQUISITION OF REGISTERED PLACES) AMENDMENT BILL 2006 (E182)

*(Introduced by Ms Walker, MLA)*

**Clause 1**

**Short Title**

This Act may be cited as the *Heritage of Western Australia (Crown Acquisition of Registered Places) Amendment Act 2006*.

**Clause 2**

**Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

**Clause 3**

**Act amended**

This Act amends the *Heritage of Western Australia Act 1990*.

**Clause 4**

**Section 76A inserted**

This section applies in circumstances where an interim or permanent entry in the Register of Heritage Places is made in respect of land. The effect of the entry may be to reduce the value of the land, by reason of the reduced capacity of the owner to develop the land, or the increased costs associated with complying with the requirements of the Act with respect to the land. Under the current Act the owner of an estate or interest in the land in such a case has no right to compensation for any loss in value resulting from entry in the Register. This section addresses this situation by providing that an owner whose land has been entered in the register has the right to require the Crown to acquire the owner's estate or interest in the land at a price determined by reference to the value of land before the entry was made in the register.