

South Australia

# Land Acquisition (SACAT) Variation Regulations 2018

under the *Land Acquisition Act 1969*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Land Acquisition (SACAT) Variation Regulations 2018*.

### 2—Commencement

These regulations will come into operation on the day on which Part 24 of the *Statutes Amendment (SACAT No 2) Act 2017* comes into operation.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Land Acquisition Regulations 2004*

### 4—Variation of Schedule 1—Forms

- (1) Schedule 1, Form 1, clause 4—delete clause 4 and substitute:

#### 4—Right of review (section 12A)

A person who makes a request under section 12 which is refused by the Authority may apply to the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of the decision.

An application for review must be made within 7 days (or such longer period as the Tribunal may allow under the *South Australian Civil and Administrative Tribunal Act 2013*) of the person being served with notice of the Authority's decision to refuse the request.

A review by the Tribunal must be completed within 14 days of the application for review being made by the person.

The merits or otherwise of the undertaking to which the proposed acquisition relates cannot be called into question in a review.

A decision of the Tribunal on review is not subject to appeal under section 71 of the *South Australian Civil and Administrative Tribunal Act 2013*.

- (2) Schedule 1, Form 2, clause 4—delete clause 4 and substitute:

**4—Right of review (section 12A)**

A person who makes a request under section 12 which is refused by the Authority may apply to the South Australian Civil and Administrative Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* for a review of the decision.

An application for review must be made within 7 days (or such longer period as the Tribunal may allow under the *South Australian Civil and Administrative Tribunal Act 2013*) of the person being served with notice of the Authority's decision to refuse the request.

A review by the Tribunal must be completed within 14 days of the application for review being made by the person.

The merits or otherwise of the undertaking to which the proposed acquisition relates cannot be called into question in a review.

A decision of the Tribunal on review is not subject to appeal under section 71 of the *South Australian Civil and Administrative Tribunal Act 2013*.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 28 June 2018

No 176 of 2018

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