ITEM 35:

Task Description:
Compensation package total value

Natural Resources South East – detail of task
This question refers to Question 15 with the total budget package for the Compensation process to be outlined.

Natural Resources South East – response

As detailed in Question 15, the assessment of, and financial liability for compensation subject to the Upper South East Dryland Salinity and Flood Management Act 2002 (USE Act), is a responsibility of the Minister for Sustainability, Environment and Conservation, and not the responsibility of the SEWCD Board.

There are three (A, B & C) categories of acquisition for projects works, completed before 2002 (A), drains completed from 2002 to 2010 (B), and REFLOWS floodway (C). In accordance with the provisions of the USE Act, liability for the payment of any compensation is incurred by the Minister and not the SEWCD Board.

Assessments of compensation for Category A and B project works corridors, is, where a claim is received from an entitled landholder, undertaken by the Valuer-General having regard to certain criteria established in the USE Act (Section 13 provisions). The Minister is then required to undertake negotiations to achieve an agreed outcome if possible. In the event of a failure to agree the matter is referred direct to the relevant Court.

For all Category C project works corridors, offers of compensation that includes the current market value for the land interest acquired, are progressing with the landholders concerned. The matter is filed directly with the Court upon an offer being made.

Hence there is no defined dollar value for the overall compensation package, with the liability being met by the Minister through allocations from the Treasurer. The total composite amount to meet the compensation liability will not be known until all compensation entitlements are finalised and this will take some time to achieve.

Additional Relevant material

Upper South East Dryland Salinity and Flood Management Act 2002