

Australian Capital Territory

Lands Acquisition Section 21 Certificate - Kingston Foreshore Development

Notifiable instrument NI 2002- 57

made under the

**Lands Acquisition Act 1994 s 21 (Acquisition where land
required urgently etc)**

The Australian Capital Territory Executive (“the Executive”) is considering the acquisition under the *Lands Acquisitions Act 1994* (‘the Act’) by the Executive of an Interest described in Item 1, in the land described in Item 2 for the public purpose described in Item 3.

ITEM 1 THE INTEREST:

The Interest being considered for acquisition is the unexpired residue of the Crown Lease Volume 1036 Folio 48 in respect of the land.

ITEM 2 THE LAND:

The Land is the area of approximately 1038 square metres being Block 14 Section 6 District of Kingston and being the area on the sketch map of the land attached to this notice.

ITEM 3 THE PUBLIC PURPOSE:

The Public Purpose is the future development of the boat harbour at the Kingston Foreshore Development. The land appears to the Executive to be suitable for use, or for development for use, for that public purpose.

ITEM 4 URGENCY:

The development concept for the Kingston Foreshore Redevelopment was first publicly announced in January 1998.

The lease of this land is subject to a lease purpose clause, which is limited to storage and maintenance of buses and offices ancillary thereto. The Lessee renovated the premises in 1990 and converted the building into offices, contrary to the lease purpose clause.

In May 1998 the Lessee applied for a variation of the lease purpose clause which was refused by PALM on 24 July 1998. An application was made to the Administrative Appeals Tribunal which upheld the earlier decision by the Executive. A subsequent appeal to the ACT Supreme Court was discontinued in July 2001. Several unsuccessful attempts have been made to negotiate acquisition of the land.

The Executive did not pursue the acquisition while the variation of the lease purpose clause was before the courts.

In order for the redevelopment of the land to proceed according to the timetable, the Kingston Foreshore Development Authority must have access to the site to be able to begin demolition at the beginning of May 2002.

Dated this Twenty eight day of February 2002

Simon Corbell

Ted Quinlan.....

Minister

Minister

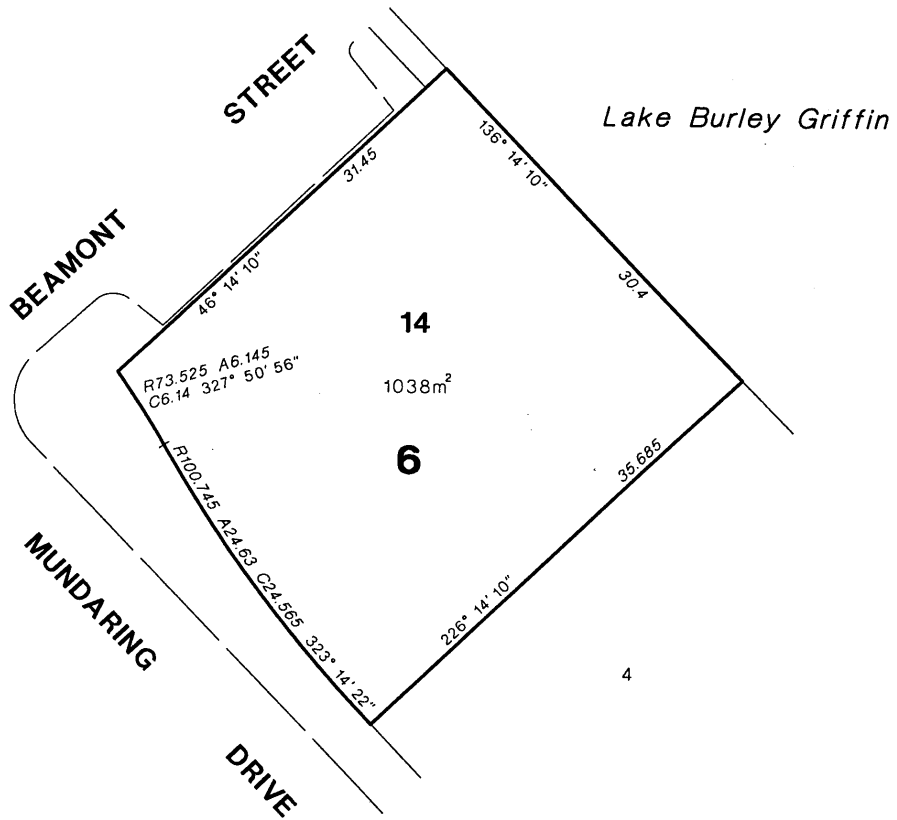
LEGEND

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