

City Renewal Authority and Suburban Land Agency (Suburban Land Agency Land Acquisition) Direction 2017

Disallowable instrument DI2017– 262

made under the

City Renewal Authority and Suburban Land Agency Act 2017, section 63 (Minister must make directions for land acquisition)

1 Name of instrument

This instrument is the *City Renewal Authority and Suburban Land Agency (Suburban Land Agency Land Acquisition) Direction 2017*.

2 Commencement

This instrument commences the day after it is notified.

3 Suburban Land Agency – Land Acquisition Direction

I make the directions set out in the schedule in relation to the acquisition of land by the Suburban Land Agency.

Andrew Barr MLA
Treasurer

31 October 2017

SCHEDULE

Suburban Land Agency - Land Acquisition Direction

1. Application

- 1.1. This direction applies to the Suburban Land Agency in exercising its functions of acquiring leases of land on behalf of the Territory from private lessees.
- 1.2. This direction does not apply to:
- a) acquisitions of land previously approved under the *Planning and Development (Land Acquisition Policy Framework) Direction 2014 (No 1)* (repealed);
 - b) land transferred from the Territory, other Territory entities or the Commonwealth of Australia to the Suburban Land Agency;
 - c) the acquisition of rights, such as easements, over leased territory land by the Suburban Land Agency.

2. Land Acquisition – Mandatory Business Cases

- 2.1 The Suburban Land Agency must provide to the Minister for endorsement a business case for all proposed land acquisitions to which this direction applies.
- 2.2 Each business case must include an analysis of the following issues:
- a) the financial implications relating to the proposed acquisition, including provision of:
 - i. any valuation provided to the Suburban Land Agency by the seller; and
 - ii. all valuations considered by the Suburban Land Agency in accordance with the agencies policies regarding valuations; and
 - b) the current and future status of the land under the Territory Plan, including any conditions on the Crown lease;
 - c) the purpose for which the proposed land is to be acquired, including how the proposed acquisition:
 - i. meets the objects and functions of the Suburban Land Agency set out in the *City Renewal Authority and Suburban Land Agency Act 2017* (the Act);
 - ii. meets the requirements of the Territory Plan including the Statement of Strategic Directions, the Statement of Planning Intent (given under s16 of the *Planning and Development Act 2007*) and any other the relevant Government policies relating to land;
 - iii. addresses, and is as far as practicable consistent with the Suburban Land Agencies Statement of Intent issued under the *Financial Management Act 1996* for the agency; and

- d) how the proposed land acquisition, including the future use of the land:
 - i. represents value for money (as defined in the *Government Procurement Act 2001*) for the Territory;
 - ii. will assist the Government to maximise the community benefits from land development and deliver residential, commercial or industrial development that is in the public interest; and
 - iii. supports development that is environmentally sustainable;
- e) the outcome of consultation with all relevant stakeholders, including the Under Treasurer and Directors-General of Environment, Planning and Sustainable Development and Transport Canberra and City Services, on the proposed land acquisition;
- f) a risk assessment of the proposed acquisition of land; and
- g) any other additional information relevant to the Minister's consideration of the proposed acquisition to which the business case relates.

3. Business Case Approval

- 3.1 Prior to any acquisition of land to which this direction applies, the following approval steps must be satisfied:
 - a) The Suburban Land Agency must present a draft business case in accordance with part 2 above, which is provided to the Under Treasurer and Directors-General of Environment, Planning and Sustainable Development and Transport Canberra and City Services for consultation; and
 - b) Upon completion of consultation required at 3.1(a), the Suburban Land Agency must provide a final business case to be submitted by the Environment, Planning and Sustainability Development Directorate for consideration by the Minister.
- 3.2 The Minister may approve or reject a final business case for the acquisition of land by the Suburban Land Agency, following consideration by the Executive.
- 3.3 The Suburban Land Agency may only acquire land following the Minister's approval of the final business case in accordance with this Direction.