

FACT SHEET

Crown Lands Amendment Bill 2015

The *Crown Lands Amendment Bill 2015* will consolidate and homogenise the powers to lease and licence real property assets under the management and control of Portfolio Ministers by:

- removing the current definitions of 'residential portfolio land' and 'other portfolio land' and replacing them with a singular definition of 'portfolio land' that comprises all land under the management and control of a Portfolio Department; and
- extending the current powers exercisable to portfolio Ministers in relation to the leasing and licencing of 'other portfolio land' to all land under the control and management of a Portfolio Minister.

The Bill does not:

- affect any of the powers to lease or licence held by the Minister administering the *Crown Lands Act 1976* in relation to Crown land under that Minister's management and control; and
- confer upon a Portfolio Minister the power to sell any of the Crown land assets under their management and control. The power of sale under the *Crown Lands Acts 1976* remains with the Minister administering this Act and is unaffected by this bill.

Background

At present, all portfolio land that contains a dwelling ('residential portfolio land') can only be leased to a person who is not an employee of that Minister's portfolio department for:

- a term not exceeding 12 months; and
- at a market rent.

The use of this 'residential portfolio land' cannot currently be licenced. By contrast no such limitations exist in relation to:

- any other Crown land administered by a Portfolio Minister; and
- any land, residential or not, administered by the Minister administering the *Crown Lands Act 1976*.

The Bill will provide for the uniform treatment of all portfolio land assets to the effect that Portfolio Ministers will have consistent powers of lease and licence Crown land to derive maximum benefit from those assets in the interests of their respective portfolios and consistent with the administration of all other Crown land under the *Crown Lands Act 1976*.