QTON No. 28

Legislative Assembly for the **Australian Capital Territory**

Standing Committee on Public Accounts and Administration

Inquiry into Annual and Financial Reports 2023-24

Answer to question taken on notice

Asked by: Ms FIONA CARRICK MLA

Addressed to: Mr Russ Campbell, Acting Under Treasurer, Office of the Under Treasurer, Treasury, CMTEDD

In relation to: LEASE VARIATION CHARGES

Hearing: 13 February 2025
Uncorrected Proof Transcript pp 54
Transcript provided: 20 February 2025
Answer Due: 27 February 2025

Mr Kim Salisbury, Executive Group Manager, Revenue Management, Treasury, took on notice the following question:

Ms Carrick: Yes. Interestingly enough, it only goes up 4.9 million over four years, so that, I do not know, on the face of it, does not seem like much, and I appreciate that there is a balance to be had between, you know, the government having a part of the uplift in value of the land, and not impeding mum and dad investors wanting to develop their blocks. You know, that is the policy that you want to do. So there is a balance in it. I would be curious to know who—can we get the details of the Lease Variation Charges paid, particularly for really big residential towers?

Mr Campbell: I might ask the commissioner to come up, if that is okay, just on that particular point.

Mr Steel: I mean, not every residential tower will require a lease variation, because it is already permitted within the lease and the zoning on that block.

Ms Carrick: When we refer to the lease and the lessee is that the same as the Territory Plan, and we have what was the old precinct code, it is now the like the district policy. It is the law; it is the part that is in the Territory Plan, and it sets building heights. Is that the same thing? Because when people talked about the Phillip pool, they talk about the lessee and the lease. But it is actually, I think what is in the Territory Plan. Is it? I do not know. I am a bit confused about that.

Mr Steel: They have to be consistent.

Ms Carrick: They have to be consistent? Okay.

Mr Salisbury: Sorry, I was just going to answer the specific question on can we provide information on who has paid? The answer is no. That would be protected by taxpayer secrecy provisions, so we would not be able to provide that information.

Ms Carrick: Can you do it anonymously then somehow?

Mr Salisbury: Perhaps, but sometimes anonymously can identify a particular—

Ms Carrick: Really noting we have got nearly 40 residential towers now, so we are pretty safe.

Mr Salisbury: Well, that would be a decision for me to make, as the Commissioner, weighing up the tax secrecy provisions that we have, but it is unlikely that we would release that information because I would be concerned that individual taxpayers could be identified.

MR CHRIS STEEL MLA, TREASURER: The answer to the Member's question is as follows:

This information cannot be provided. The release of the data may directly or indirectly identify a taxpayer. Division 9.4 of the *Taxation Administration Act 1999* prohibits the disclosure of information obtained under or in the administration of tax laws.

Approved for circulation to the Standing Committee on Public Accounts and Administration

Signature: Date: 28/2/25

By the Treasurer, Mr Chris Steel MLA