

Statement of Expectations for the National Capital Authority

Overview

1. This Statement sets out my expectations for how the National Capital Authority (NCA) should fulfil its role, perform its functions, and balance its objectives and strategic priorities.
2. The accountable authority for the NCA is the Authority (also referred to as the Board). The Authority comprises a Chairperson and four other members, including the NCA Chief Executive. Where this Statement refers to the NCA, the reference should be taken to include the Authority.
3. The NCA is expected to reply to this Statement with its own Statement of Intent.

Governance, Transparency and Accountability

4. The Government's vision for the NCA is that of a high performing agency operating in accordance with the *Australian Capital Territory (Planning and Land Management) Act 1988* (PALM Act), to advance the Commonwealth's interest in Canberra.
5. As a statutory body, the Authority is required to fulfil its responsibilities in strict accordance with the PALM Act and the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).
6. In carrying out its functions, the NCA should operate with a strong sense of accountability to the Parliament and to the public, through the publication of materials of NCA decisions and the National Capital Plan. This includes, but is not limited to, the Authority Charter, procedures for managing conflicts of interest, and review processes and guidelines.
7. The NCA is to communicate regularly to the public on key policy, planning and administrative decisions that are in the public interest. This should include the release of a Public Record of all Authority meetings that clearly demonstrates how decisions and outcomes align with the NCA's legislative and strategic objectives.
8. I expect the NCA to keep me informed of significant activities and strategic issues that arise in the course of the NCA carrying out its functions.
9. The Chairperson will actively lead and monitor the performance of the Authority and the NCA. In accordance with the Authority Charter, the Chairperson should engage in an annual assessment of the Chief Executive's performance, and to facilitate an annual self-assessment of the performance of the Authority. In conducting these, the Chairperson and the Authority are to seek feedback from stakeholders. I expect to be provided with a copy of the self-assessments annually.
10. The Authority should undertake a regular assessment of its own skills and capabilities and to advise me and the Department of Infrastructure, Transport, Regional

Development, Communications and the Arts (the Department) of any gaps or enhancements required in advance of forthcoming Board vacancies.

11. The Government is committed to improving public confidence, transparency and trust in our public and democratic institutions. Consistent with this, I expect the NCA to:
 - a. Achieve value for money in its procurement activities and in the use of public resources.
 - b. Review:
 - i. The Service Charter and develop Key Performance Indicators (KPIs) to monitor the NCA's performance against the Charter's standards. Reporting against the KPIs should be publicly accessible and occur on an annual basis.
 - ii. Undertake an independent review of the Authority Charter to consider whether Authority processes and governance remain fit for purpose.
 - iii. Review the current internal frameworks in place for undertaking reviews of NCA decisions, and the availability of public information regarding reviews undertaken.
 - iv. Report back to me with the outcomes of the reviews, and a proposal to implement any recommendations.
12. I expect the NCA to review the framework and approval processes for planning and development on National Land, having regard to Australian local government practices and other national capital planning authorities, and implement appropriate and timely reforms arising from that review.

Approach to Regulation

13. The NCA should continue to look at opportunities for continued harmonisation and simplification of regulation over National Land and alignment with ACT Government regulation particularly when it comes to planning and development.
14. I expect the NCA to take an evidence-based and consultative approach in developing and administering regulatory policy on National Land. The NCA will engage openly with stakeholders to inform the development of regulations, particularly where the proposed measure will have significant impacts on the public and businesses. This includes by releasing exposure drafts for public consultation, unless there are exceptional circumstances where this would be inappropriate.
15. The NCA should fully consider the impact of its regulatory proposals on all relevant stakeholders and comply with the Government's Regulatory Impact Analysis requirements. This includes using the Regulatory Burden Measurement Framework when considering the impacts of regulation on business and the community and costing proposals before they are introduced.
16. Where the exercise of legislative power or a legislative instrument would have significant implications for the public or businesses, I expect the NCA to provide

appropriate time to consult with stakeholders and to implement the regulatory change.

17. NCA should continue to explore opportunities to offer practical enhancements to the National Capital, and to work with the ACT Government on collaborative enhancements.

Relationship with Government

18. The NCA plays a critical role in managing, maintaining and enhancing National Land assets on behalf of the Australian Government. In carrying out this role, I expect the NCA to provide me with accurate and timely advice on significant issues impacting the National Capital. Examples include matters which the Government may be required to discuss in Parliament, important operational or budgetary issues, or significant stakeholder issues of concern.
19. I expect the NCA to report to me each quarter on progress against actions outlined in this Statement. The quarterly reports must include an assessment of how the actions are tracking, expected timeframes for completion (where appropriate), and any matters that may impact delivery. I also expect that quarterly reports include details of significant reviews or appeals and their outcomes.
20. I also expect the NCA and the Department to maintain a close relationship.

Conclusion

21. I will review this Statement annually and consider any required updates, based on the performance of the NCA, changed government priorities and any other relevant matter.