

City Renewal Authority and Suburban Land Agency (Authority Board Member) Appointment 2026 (No 2)

Disallowable instrument DI2026-202

made under the

City Renewal Authority and Suburban Land Agency Act 2017, s 15 (Establishment of governing board for authority)

EXPLANATORY STATEMENT

This explanatory statement relates to the *City Renewal Authority and Suburban Land Agency (Authority Board Member) Appointment 2026 (No 2)* as made by the Chief Minister. It has been prepared in order to assist the reader of the instrument and to help inform debate on it. It does not form part of the instrument and has not been endorsed by the Legislative Assembly.

Overview

Section 7 of the *City Renewal Authority and Suburban Land Agency Act 2017* (the *Act*) establishes the City Renewal Authority (the **authority**). Section 15 of the Act establishes the governing board for the authority. For the purposes of the *Financial Management Act 1996* (the **FMA**) the authority is a territory authority, and therefore parts 8 and 9 of that Act apply. Section 78 (7) (b) of the FMA provides that an appointment of a member to a governing board of a territory authority is an appointment under the provision of the establishing Act that establishes the governing board. In this case, section 15 of the Act is the relevant provision of the establishing Act.

Section 78 of the FMA provides for the appointment of authority boards generally. The Minister with responsibility for a territory authority may appoint members of the governing board of the authority. The Minister must apply the criteria in section 78 of the FMA and must, as far as practicable, ensure that each discipline and area of expertise mentioned in section 21 (2) of the Act is represented among the appointed members. A member must have knowledge of and experience in at least one of the disciplines and areas of expertise prescribed in section 21 (2) of the Act.

Appointment

This instrument appoints Mr Malcolm Middleton as an expert member of the board for the period 1 October 2026 to 30 September 2029.

Mr Middleton is a highly regarded architect, urban design leader and former Queensland Government Architect with more than 40 years of experience across architecture, urban design, public policy and design governance. He served as Queensland Government Architect from 2011 to 2021, providing strategic design leadership across major public infrastructure, planning frameworks and city-shaping projects. He currently operates Malcolm Middleton Architects and continues to contribute through advisory, design review and governance roles. His experience spans major public realm projects, urban renewal initiatives, design review processes and government advisory functions across Australia. He is a Life Fellow of the Australian Institute of Architects, holds qualifications in architecture and urban design, and has extensive experience working with government, industry and community stakeholders.

Considered against the terms of the Act, Mr Middleton has knowledge or experience across the following disciplines:

- urban renewal;
- architecture;
- urban design;
- law, public administration and governance; and
- financing major development projects.

Section 21 (4) of the Act provides that a member of the board must not be a public servant. Mr Middleton is not a public servant.

Consultation

Division 19.3.3 of the *Legislation Act 2001* (the Legislation Act) applies as Mr Middleton is not a public servant, is appointed for longer than 6 months, and will have functions beyond advising the Minister. In accordance with section 228 of the Legislation Act, the Standing Committee on Environment and Planning has been consulted and noted the appointment. The appointment is a disallowable instrument by operation of section 229 of the Legislation Act.

Regulatory impact statement

The instrument is not likely to impose appreciable costs on the community, or part of the community and therefore a regulatory impact statement (a **RIS**) is not required (Legislation Act, section 34). Further, a RIS is unnecessary, in accordance with the Legislation Act, section 36 (1) (b), as the disallowable instrument does not operate to the disadvantage of anyone by adversely affecting the person's rights, or imposing liabilities on the person.

Remuneration

Remuneration for the board is set by the ACT Remuneration Tribunal under Determination 13 of 2025 (Part-time Public Office Holders) and is met by the authority's budget.

Scrutiny Committee Terms of Reference

The instrument is consistent with the Legislative Assembly's Scrutiny of Bills Committee Terms of Reference. In particular, the instrument:

1. Is made under a ministerial power found in the Act (see section 15 of the Act) and section 78 of the FMA.
2. Is in accordance with the general objects of the Act under which it is made. The appointment of a member to the board is integral to the authority's operations and achieving the objects of the Act.
3. Does not unduly trespass on rights previously established by law.
4. Does not make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions. The instrument enables formal appointment of a member of the board.