

Australian Capital Territory

LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR DIRECT LEASE GRANTS (COMMERCIAL, INDUSTRIAL, RESIDENTIAL AND TOURISM) DETERMINATION 2003*

Disallowable instrument DI2003-220

made under the

Land (Planning and Environment) Act 1991 section 161(7)

The ACT Executive REVOKES instrument No 228 of 1997 and DETERMINES criteria for the direct grant of a Crown lease for any or all of COMMERCIAL, INDUSTRIAL, RESIDENTIAL and TOURISM purposes. The Criteria are:

- the Planning and Land Authority must be satisfied it is in the public interest to grant the lease.
- the applicant must complete and sign a preliminary application giving details of:
 - the development proposal;
 - the proposed lessee;
 - form of tenancy, stating shares if relevant;
 - address for service of notices; and
 - proof of full company particulars (if applicable).

If negotiations are progressed, the applicant must:

- provide full details of the proposed development;
- demonstrate the financial capacity to manage the land;
- demonstrate the non-financial capacity to develop and manage the land, including details of expertise, resources and experience to undertake the development;
- demonstrate the long-term economic viability of the proposal;
- demonstrate that the grant of the lease will:
 - benefit the economy in the Territory or region;
 - contribute to the environmental, social or cultural features in the Territory or region;
 - introduce new skills, technology or services into the Territory or
 - contribute to the export earnings and import replacement of the Territory or the region.
- provide a Bank Undertaking required by the Planning and Land Authority.
- pay the agreed value of the lease as either a capital sum or land rent.
- pay the fees and charges notified as being applicable.
- have the support of the relevant Government agency/agencies.

Mr Wood
Minister for Urban Services
8 July 2003

Mr Corbell
Minister for Planning
8 July 2003

*Name amended under Legislation Act 2001 s 60