

## Consent to Second or Subsequent transfer

### Form 2

Is this application for a first transfer?

☐

YES

If yes please use the consent to first transfer form 1

A first transfer form should only be used when the Lessee is the estate developer. The estate developer is the person who provided the infrastructure on, and subdivided, the holding lease of which this individual Crown lease is a subdivision.

☐

NO

Complete this form

#### Lease details *please print*

Block

Section

Suburb

Street number

Street name

Postcode

#### Applicant details *please print*

Surname

First name

Company name

Postal address

Suburb

State

Postcode

Phone number  
business hours

Mobile

Email address

<b>Lessee (property owners) details</b> <i>please print</i>
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**First lessee's details**

Surname		First name	
Company name			
Position held in company		Australian Company Number (ACN)	
Postal address			
Suburb		State	
		Postcode	
Phone number business hours		Mobile	
Email address			

**Second lessee's details**

Surname		First name	
Company name			
Position held in company		Australian Company Number (ACN)	
Postal address			
Suburb		State	
		Postcode	
Phone number business hours		Mobile	
Email address			

**All lessees must** sign authorising the lodgement of this application. In doing so the lessee gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two lessees please ensure that the details and authorisation are attached to the application.

**Buyers details** *please print*
**First buyers details**

Surname	<input type="text"/>	First name	<input type="text"/>
Company name	<input type="text"/>		
Position held in company	<input type="text"/>	Australian Company Number (ACN)	<input type="text"/>
Postal address	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone number business hours	<input type="text"/>	Mobile	<input type="text"/>
Email address	<input type="text"/>		

**Second buyers details**

Surname	<input type="text"/>	First name	<input type="text"/>
Company name	<input type="text"/>		
Position held in company	<input type="text"/>	Australian Company Number (ACN)	<input type="text"/>
Postal address	<input type="text"/>		
Suburb	<input type="text"/>	State	<input type="text"/>
		Postcode	<input type="text"/>
Phone number business hours	<input type="text"/>	Mobile	<input type="text"/>
Email address	<input type="text"/>		

**All buyers must** sign authorising the lodgement of this application. In doing so the buyer gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two buyers please ensure that the details and authorisation are attached to the application.

**Please note:** To help you provide information a table titled “Documentation requirements – definitions and checklist” can be found at the end of this form.

### Reason for Seller(s) transferring the land ie financial, personal or unforeseen

- |   |                          |        |
|---|--------------------------|--------|
| Financial – unable to finance development                                     | <input type="checkbox"/> | Please |
| Personal – medical, moving interstate or unemployment                         | <input type="checkbox"/> | tick   |
| Unforeseen – an unforeseen major event outside the seller(s) control e.g. GFC | <input type="checkbox"/> | one    |

### Evidence supporting the Seller(s) reason for transferring the land

- |   |                          |     |
|---|--------------------------|-----|
| Is there evidence supporting the seller(s) inability to proceed with the purchase/construction for the land specified in this application attached? | <input type="checkbox"/> | NO  |
|   | <input type="checkbox"/> | YES |

### Building contract *if entered into* between the Seller(s) and Buyer(s)

- |   |                          |     |
|---|--------------------------|-----|
| Is a copy of the building contract for the land specified in this application attached? | <input type="checkbox"/> | NO  |
|   | <input type="checkbox"/> | YES |

### Evidence of financial capacity from the Buyer(s)

- |   |                          |     |
|---|--------------------------|-----|
| Is all the evidence for financial capacity from the buyer(s) to purchase the land and construct a dwelling* on the block for the land specified in this application attached? | <input type="checkbox"/> | NO  |
|   | <input type="checkbox"/> | YES |

### Building covenants

- |   |                          |     |
|---|--------------------------|-----|
| Is there at least a minimum of six months left on the commencement covenant contained in the Crown lease for the land specified in this application attached? | <input type="checkbox"/> | NO  |
|   | <input type="checkbox"/> | YES |

### Transfer form

- |   |                          |     |
|---|--------------------------|-----|
| Is the transfer form for the land specified in this application attached? | <input type="checkbox"/> | NO  |
|   | <input type="checkbox"/> | YES |

### Land Rent Scheme Crown lease

- |   |                          |     |
|---|--------------------------|-----|
| Is the Crown lease for the land specified in this application a Land Rent Scheme lease? | <input type="checkbox"/> | NO  |
|   | <input type="checkbox"/> | YES |

If yes, has a letter been provided from the:

- |  |                          |     |
|--|--------------------------|-----|
| ○ seller(s) for the land stating that they have advised the buyer(s) that the Crown lease is a rental lease? | <input type="checkbox"/> | NO  |
|  | <input type="checkbox"/> | YES |

**AND**

- |  |                          |     |
|--|--------------------------|-----|
| ○ buyer(s) for the land stating that they are aware that they are purchasing a rental Crown lease? | <input type="checkbox"/> | NO  |
|  | <input type="checkbox"/> | YES |

### Unregistered Crown lease / lessee's name

- |  |                          |     |
|--|--------------------------|-----|
| Is the Crown lease is unregistered or not in the sellers name, has a letter been provided advising that there has been an on-sale of all documents connected with the registration of the Crown lease and/or advising that the lessee's name for the land specified in this application will be registered at Land Titles at the time of settlement? | <input type="checkbox"/> | NO  |
|  | <input type="checkbox"/> | YES |

## Conflict of interest declaration

Does the applicant, lessee or buyer have any association with the Planning and Land Authority staff?

☐ NO  
☐ YES

If YES - please provide details:

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**NOTE:** *There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Planning Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation.*

\* - dwelling does not exclude other developments of a non residential nature.

## Other requirements

### Lodgment and payment

A valid application for consent to transfer comprises a completed application for consent to transfer form accompanied by all of the required information or documents necessary for the application to be considered for approval.

Once an application for consent to transfer is received the documentation will be checked to ensure it meets the standard for lodgement. If the documentation provided is acceptable you will receive written confirmation that the application is ready for lodgement and a request for the payment of application fees. An application for consent to transfer is not lodged until all fees are paid.

If the documentation is not acceptable for lodgement, you will receive written advice detailing the additional information required and/or any issues with your application. Once these documents are provided, the Planning and Land Authority will recommence the documentation check and fee payment process outlined above.

### Documents

All required documents must be provided in hard copy.

## Applicant, lessee and buyer declaration

I/we the undersigned, hereby apply for approval for consent to transfer on the land specified in this application.

I/we declare that this application is accompanied by all of the required information or documents for it to be considered for approval.

I/we understand that the information submitted with this application form will undergo a documentation check prior to the payment of fees and formal lodgement of the application. Further information may be required before acceptance of the application for consent to transfer by the Planning and Land Authority.

I/we understand that this application will be considered lodged once the relevant application fees have been paid.

I/we understand that the documentation provided will be considered to be the relevant documentation associated with this application.

I/we the undersigned appoint the applicant whose signature appears below to act on my/our behalf in relation to this application for consent to transfer. This authorises the applicant to pay all application fees and liaise with the Planning and Land Authority when required, alter, amend or provide further information as necessary and receive any communications relating to this application for consent to transfer.

I/we the undersigned buyers undertake to comply with the building and development covenants contained within the Crown lease on the land specified in this application.

I/we declare that all information given on this form and its attachments is true and complete.

***If signing on behalf of a company or organisation:***

I/we the undersigned, declare I/we have the appropriate delegation or authority to sign on behalf of the company or organisation.

Applicant signature (s)	<input type="text"/>	Date	<input type="text"/>
First lessee's signature	<input type="text"/>	Date	<input type="text"/>
Second lessee's signature	<input type="text"/>	Date	<input type="text"/>
First buyer's signature	<input type="text"/>	Date	<input type="text"/>
Second buyer's signature	<input type="text"/>	Date	<input type="text"/>

Please make sure you complete the documentation requirements checklist at the end of this form

**Documentation requirements – consent to transfer**

<b>Key:</b> ✓ Required ♦ Required if relevant	
<b>Evidence supporting the seller(s) reason for transferring the land</b> (Required if not applying under s298(2)(b)(iv))  OR  <b>Building contract between the seller(s) and (buyer(s))</b> (Required if applying under s298(2)(b)(iv))	✓
<b>Evidence of financial capacity from buyer(s)</b>	✓
<b>Building covenants</b> (Provide a copy of the extension of time letter)	♦
<b>Transfer form</b>	✓
<b>Land Rent Scheme Crown lease</b> (provide a copy of a letter from both the seller AND buyer)	♦
<b>Unregistered Crown lease / lessee's name</b> (Required if Crown lease and/or the lessee's name are not registered at Land Titles)	♦

## Documentation requirements – definitions and checklist

Submission requirement	Required information	ESDD Use Only
Evidence supporting the seller(s) reason for transferring the land	<ul style="list-style-type: none"> <li>Evidence supporting the reasons stated in the seller(s) statutory declaration as to why the land is being transferred, ie financial, personal or unforeseen circumstance e.g. declined loan, letter from an accountant, certificate from a doctor, moving interstate.</li> </ul>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required
Building contract between the seller(s) and the buyer(s)	<b>Copy of the relevant pages that contain the following information:</b> <ul style="list-style-type: none"> <li>details of the land being transferred</li> <li>details of the buyer(s)</li> <li>details of the builder (must be the same name as registered on the Crown lease being transferred)</li> <li>signatures of the buyer(s)</li> <li>signature of the builder</li> <li>the cost of the building work to construct the dwelling.</li> </ul>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required
Evidence of financial capacity from the buyer(s)	<b>Provide one or more of the following documents (or like documents):</b> <ul style="list-style-type: none"> <li>loan approval(s) from a financial institution connected to the buyer(s) AND the land being transferred</li> <li>current bank statements in the buyer(s) name (not less than 1 month old)</li> <li>current line of credit statement in the buyer(s) name;</li> <li>deposit copies of trust accounts or receipts connected to the buyer</li> <li>gifted money – statutory declaration from person gifting money AND evidence that that person has the money (eg. recent bank statement in persons name)</li> <li><i>internet bank statements are not accepted as the account holders details are not on the printout.</i></li> <li>Letter from an accountant connected to the block and stating that the buyer(s) have the financial capacity to both purchase the land and construct a dwelling.</li> </ul>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required
Building covenants	<p>If less than 6 months left on commencement covenant:</p> <b>Provide one or more of the following:</b> <ul style="list-style-type: none"> <li>evidence of extension of time approved by Utilities, Land and Lease Regulation and relevant fees paid</li> <li>a letter from the buyer(s) stating they are aware of the date the building is required to start (must state date) and if the building does not commence by that date, then they are responsible for making an application and paying for an extension of time to extend the development covenants</li> <li>if construction on the building has already commenced, the signed inspection certificate issued by a registered certifier (e.g. footings inspection or first drainage test).</li> </ul> <p><i>Please note: The completion covenant should also allow enough time to complete the construction of the dwelling. If not completed by the date stated in the Crown lease or any extension granted, an extension of time will be required prior to a Certificate of Compliance being issued.</i></p>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required

Submission requirement	Required information	ESDD Use Only
Transfer form	<p><b>Available from the Office of Regulatory Services website at <a href="http://www.ors.act.gov.au/community/land_titles/forms_and_fees">www.ors.act.gov.au/community/land_titles/forms_and_fees</a>:</b></p> <ul style="list-style-type: none"> <li>• block, section and suburb</li> <li>• volume and folio Numbers (where Crown Lease is registered)</li> <li>• consideration amount</li> <li>• development status</li> <li>• seller(s) details as registered on Crown lease</li> <li>• buyer(s) details as to appear on Crown lease</li> <li>• seller(s) signature and witness' signature</li> <li>• buyer(s) signature and witness' signature.</li> </ul>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required
Land Rent Scheme Crown lease	<p><b>If the Crown lease is a rental lease has a letter been provided from the:</b></p> <ul style="list-style-type: none"> <li>• seller(s) stating that they have advised the buyer(s) that the Crown lease is a rental lease; and</li> <li>• buyer(s) stating that they are aware that they are purchasing a rental Crown lease.</li> </ul>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required
Unregistered Crown lease / lessee's name	<p><b>If the Crown lease and/or the lessee's name are not registered at Land Titles, the following information is required:</b></p> <ul style="list-style-type: none"> <li>• a letter from the applicant advising that an on-sale involving the Crown lease and/or the Lessee's name will occur at the time of settlement for this transfer at Land Titles; and</li> <li>• copy(s) of the front page(s) of each Contract of Sale between the Lessee and buyer.</li> </ul>	<input type="checkbox"/> Supplied <input type="checkbox"/> Not required

**Contact Details:**

Environment and Sustainable Development Directorate

Customer Service Centre

GPO Box 1908, Canberra City 2601

16 Challis Street, Dickson ACT 2602

Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)

Phone: (02) 6207 1923

Fax: (02) 6207 1925

Email: [actpla.customer.services@act.gov.au](mailto:actpla.customer.services@act.gov.au)

TTY: (02) 6207 2622

Website: [www.actpla.act.gov.au](http://www.actpla.act.gov.au)**Privacy Notice**

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