

LAND (PLANNING AND ENVIRONMENT) ACT 1991

DETERMINATION OF CRITERIA
FOR DIRECT GRANTS OF CROWN LEASES

DETERMINATION NO. 10 OF 1993

The ACT Executive under subsection 161(5) of the Land (Planning and Environment) Act 1991 determines criteria for the direct grant of a Crown lease for the purposes of aged persons accommodation.

The criteria are:

The proposed lease must involve:

- . the development of accommodation for aged persons; and
- . an incorporated community association.

The applicant must:

- . complete and sign an application for the lease in the required form giving details of:-
 - full name of proposed lessee;
 - address for service of notices;
- . be an incorporated community organisation or be an incorporated entity associated with an incorporated community organisation;
- . provide proof of the incorporation and a copy of the Memorandum and Articles of Association, Rules or Constitution of the community organisation and (if different) of the applicant;
- . provide full company particulars of the community organisation and (if different) of the applicant;
- . provide details of the development proposal;
- . demonstrate the financial capacity to develop and 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;
- . pay the current market value for the lease as a capital sum;

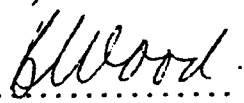
- .. provide any Bank Undertaking required by the Territory; and
- . pay the fees and charges for the time being notified by the Minister as being applicable.

The Territory:

- . must be satisfied with each of the matters referred to above;
- . in particular, if the community organisation is not the applicant, the Territory must be satisfied:
 - (i) with the nature and extent of the association between the applicant and the community organisation; and
 - (ii) that title to the accommodation for aged persons will be transferred to the community organisation and/or the Commissioner for Housing within a reasonable period and in any event, not exceeding twelve months after the date of completion of construction of that accommodation.

In this Determination, the expression "community organisation" has the same meaning as in section 163(1) of the Land (Planning and Environment) Act 1991.

Dated this 28th day of January 1997


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MINISTER


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MINISTER