



## AUSTRALIAN CAPITAL TERRITORY

### LAND (PLANNING AND ENVIRONMENT) ACT 1991

#### DETERMINATION OF CRITERIA

#### INSTRUMENT NO. 131 OF 2000

The Australian Capital Territory Executive under subsection 163(4) of the *Land (Planning and Environment) Act 1991* (ACT) ("the Act"), REVOKES disallowable instrument number 22 of 1992 made under that subsection and dated 22 February 1992 AND SPECIFIES the criteria for the direct grant of Crown leases to **COMMUNITY ORGANISATIONS**. The criteria are:

The applicant must:

1. demonstrate that it is a "community organisation" as defined in subsection 163(1) of the Act being a body corporate that:
  - a. has as its principal purpose the provision of a service, or a form of assistance, to persons living or working in the Territory,
  - b. is not carried on for the pecuniary profit or gain of its members, and
  - c. does not hold a Club Licence under the *Liquor Act 1975* (ACT);
2. complete and sign an application for the lease on the required form and provide evidence of incorporation and a copy of its "Articles of Association";
3. be the proposed lessee or clearly demonstrate a satisfactory legal nexus between the applicant and the proposed lessee;
4. except where the applicant will occupy Territory-owned improvements demonstrate to the Territory:
  - a. its financial capacity to develop and manage the land, and
  - b. its non-financial capacity to develop and manage the land including details of expertise, resources and experience to undertake the proposal;
5. where the applicant will occupy Territory-owned improvements, demonstrate to the Territory:

- a. its financial capacity to maintain and manage the land, and
  - b. its non-financial capacity to maintain and manage the land including details of expertise, resources and experience to undertake the proposal;
6. demonstrate that it has the support of the relevant government agencies;
7. demonstrate that it has the support of the governing body (if any) of the applicant;
8. where the applicant proposes to establish aged persons' accommodation, provide:
  - a. evidence from the relevant government agencies that the applicant is an approved benevolent organisation, and
  - b. details of the type of aged care proposed; and
9. pay the fees and charges for the time being notified by the Minister as being applicable.

Dated Monday 8 May 2000.

**Gary Humpries**  
Minister

**Brendan Smyth**  
Minister