

Australian Capital Territory

**LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR DIRECT SPECIAL LEASE DETERMINATION 2003\***

**Disallowable instrument DI2003-194**

made under the

*Land (Planning and Environment) Act 1991 section 164 (3)*

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The ACT Executive REVOKES instrument No 20 of 1992 and DETERMINES criteria for the direct grant of **SPECIAL** Crown leases. The criteria are:

**The proposed lease must involve:**

- a major manufacturing industry;
- a high-technology industry;
- a tourist development;
- a unique or innovative activity; or
- a building or development requirements of a specific or distinctive nature;

**The applicant must**

- must complete and sign a preliminary application for the lease in the required form giving details of:-
  - brief details of the development proposal;
  - full name of proposed lessee;
  - form of tenancy, stating shares if relevant;
  - address for service of notices;
  - proof of full company particulars etc.  
(if applicable)

**The Planning and Land Authority**

- must be satisfied it is in the public interest to grant the lease under section 164.

If negotiations are progressed, the applicant:

- must provide full details of the development proposal;
- must demonstrate to the Planning and Land Authority the financial capacity to develop and manage the land;

\*Name amended under Legislation Act 2001 s 60

- must demonstrate to the Planning and Land Authority the non-financial capacity to develop and manage the land, including details of expertise, resources and experience to undertake the development;
- must demonstrate to the Planning and Land Authority's satisfaction the long term economic viability of the proposal; and
- must demonstrate to the Planning and Land Authority that the grant of the lease will:
  - generate employment in the Territory or the region;
  - benefit the economy in the Territory or the region;
  - contribute to the export earnings and import replacement of the Territory or the region; and
  - introduce new skills, technology or services into the Territory;
- must provide any Bank Undertaking required by the Planning and Land Authority; and
- must pay the agreed value for the lease; and
- must pay the fees and charges notified by the Planning and Land Authority as being applicable.

Mr Wood  
Minister for Urban Services  
8 July 2003

Mr Corbell  
Minister for Planning  
8 July 2003