

Australian Capital Territory

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

**Disallowable instrument DI2003-202**

made under the

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

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The ACT Executive REVOKES instrument No 32 of 1992 and DETERMINES criteria for the direct grant of a Crown Lease for COMMERCIAL, INDUSTRIAL or TOURISM purposes. The criteria are:

The proposed lease must involve:

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

The applicant:

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

If negotiations are progressed, the applicant:

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

\*Name amended under Legislation Act 2001 s 60

- must demonstrate the non-financial capacity to develop and manage the land, including details of expertise, resources and experience to undertake the development;
- must demonstrate the long-term economic viability of the proposal;
- must demonstrate 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;
  - introduce new skills, technology or services into the Territory; or
  - contribute to the hospitality, accommodation and service-based sectors of the economy; or
  - if the proposal involves recycling activities; improve the recycling opportunities for the public or businesses within the local community, achieve a reduction in current material being sent to landfill for disposal and be supported by the Territory agency managing waste disposal in the ACT;
- must pay the current market value for the lease as either a capital sum or land rent, whichever is applicable;
- must provide any Bank undertaking required by the Planning and Land Authority; and
- must pay the fees and charges for the time being 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