

Planning and Development (Change of Use Charge— GP Practice Clinics) Policy Direction 2010 (No 1)*

Disallowable instrument DI2010–275

made under the

Planning and Development Regulation 2008, Section 177

1 Name of instrument

This instrument is the *Planning and Development (Change of Use Charge—GP Practice Clinics) Policy Direction 2010 (No 1)*.

2 Commencement

This instrument is taken to have commenced on 1 July 2010.

3 Expiry

This instrument will cease on 30 June 2014 unless extended.

4 Policy Direction

Pursuant to section 177 of the *Planning and Development Regulation 2008* I make the following Policy Direction for the purposes of sections 175(1)(b) and 175(2)(a) of the Regulation.

- (1) This policy direction applies to an application for a lease variation:
 - (a) on a lease which does not have the permitted use of *health facility*, to solely add the use of *health facility* and no other use; and
 - (b) on a lease which has a permitted use of *health facility* (either as part of the application being considered or otherwise);
 - (i) to consolidate land, held under another lease, with the relevant lease; or
 - (ii) to increase the *gross floor area* (GFA); or
 - (iii) both of the above; and

*Name amended under Legislation Act, s 60

- (c) the leaseholder provides evidence, from ACT Health, of full or partial funding for the relevant lease, under the GP Development Fund.
- (2) where an application meets the above (applicable) conditions the planning and land authority shall remit one hundred percent (100%) of the amount of the change of use charge in respect to the variation of the relevant lease at the time the change of use charge is determined.
- (3) for the avoidance of doubt, the planning and land authority must not remit a change of use charge under this policy direction to a lessee in respect of a variation of a lease where the change of use charge in respect of that variation, or part thereof, was paid before 1 July 2010.

Notes:

1. for the meaning of *GP Development Fund* see Budget 2010-2011, Budget Paper No. 2 and GP Workforce Development Program, GP Development Fund Grants 2010: Round 2, Guidelines and Application form, ACT Health.
2. for the meaning of *health facility* and *gross floor area* see Territory Plan, Definitions.

Andrew Barr MLA
Minister for Planning

16 October 2010