

Leasehold administration in the ACT

The ACT Government has made a clear commitment to make changes to the current planning system to make it simpler to use, faster and more effective for residents, industry, business and the community.

The four key planning areas that will be addressed in the reform are:

- The development assessment system;
- The Territory Plan and other planning instruments;
- Environmental impact assessment; and
- The leasehold system.

Most of the Canberra community will not be affected by the proposed changes to leasehold administration. The leasehold system will remain in the ACT and none of the reforms will affect rights under existing leases.

Why is there a need for reform of leasehold administration?

- Currently, the lease and the Territory Plan do not always work together effectively to control land use and development in the ACT;
- Current methods for calculating change of use charges create uncertainty and lack transparency;
- Existing arrangements for leases issued by direct grant are too complex. Eligibility criteria, charging policies and process require review; and
- To help overcome tensions that have developed over time between some lease and development conditions, and conditions of development approval.

What reforms are proposed?

- The leasehold system will remain in the ACT and none of the reforms will affect rights under existing leases;
- Commercial and industrial leases will generally contain a broader range of uses under their purpose clause, but specific use leases will still be granted to achieve specific Government and community objectives;
- The lease will continue to clearly provide direction on what the land can be used for, but development controls will be more appropriately integrated into the Territory Plan, including codes and guidelines;
- Change of use charges will be codified, applying a set formula to proposed use and development changes; and
- Improved processes for the direct grant of leases will be introduced, including revised eligibility criteria and charging policies.

What does this mean for me as an individual or a community group?

- The leasehold system will remain in the ACT, and rights under existing leases will not be affected and leases can continue to be renewed; and
- There will be greater transparency and certainty of the arrangements for issuing leases by direct grant.

What does this mean for me as an industry, business or professional organisation?

- Clarification of the relationship between the Territory Plan and non-residential leases will create greater certainty for the business sector when making decisions about development and redevelopment across the ACT;

- A codified change of use charge system will provide greater certainty and transparency for calculating development costs; and
- There will be greater transparency and certainty of the arrangements for issuing leases by direct grant, including timeliness of decision-making.

Where do I get more information?

These proposed changes are detailed in the Leasehold Administration in the ACT Technical Paper, supported by a Directions paper and three additional technical papers addressing each of the priority planning areas. These papers have been released for public consultation for an eight-week period, giving the Canberra community an opportunity to comment on the reforms proposed in each paper.

Copies of the papers are available at all ACT Government and ACT Planning and Land Authority customer service centre, ACT Libraries and on the ACT Planning and Land Authority website. For further information, contact the ACT Planning and Land Authority on 02 6207 1923 or visit our website: www.actpla.act.gov.au

How do I contribute to the new planning system?

Community consultation is taking place over an eight-week period from 27 May to 22 July 2005. Public comment can be provided through submissions to the ACT Planning and Land Authority via email: planning.systemreform@act.gov.au or posted to The Planning System Reform Project, GPO Box 1908 Canberra ACT 2601. Submissions close on Friday 22 July 2005. Persons making submissions should be aware that all submissions will be made public. For further details please refer to the Planning System Reform Project Directions paper.

Indicative timetable for the reform process:

May – July 2005	Public release of the Directions paper, with an eight-week community consultation period
February 2006	Exposure draft legislation tabled in the ACT Legislative Assembly
August 2006	Legislation introduced to the ACT Legislative Assembly to make reforms to the current planning system
2007/2008	Implementation of the new planning system

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