



FRONT GARDEN LANDSCAPE REBATE SCHEME AND GUIDELINE POLICY (version 1.0)

Policy Statement

This policy establishes the principles to be followed in determining whether a Buyer or Eligible First Transferee is eligible to receive the Front Garden Landscape Rebate Scheme (Rebate). Staff within the Suburban Land Agency (Agency) must comply with this policy when administering the Front Garden Landscape Rebate.

Purpose

This policy aims to ensure consistent and defensible decisions are made by the Agency when administering the Front Garden Landscape Rebate.

Scope

This policy applies to every Eligible Block of land which is, or will be, sold by the Agency. Eligible Blocks are determined at the discretion of the Agency, however are likely to be limited to Single Residential Blocks of land sold by the Agency pursuant to a First Grant Contract.

It is at the discretion of the Agency to determine an Eligible Block of land. This may be applied on an Estate wide basis and/or for a targeted marketing campaign for specific Blocks within an Estate.

Policy Requirements

Background

The Agency may, in accordance with this policy, offer the Rebate to the Buyer or Eligible First Transferee of an Eligible Block for their Front Garden Landscaping Works.

The Rebate is designed to encourage sustainable, waterwise and local native front gardens, and provide Buyers with the basic foundations to create such a garden. Key objectives of the Rebate include:

- early establishment of Front Gardens within the Estate;
- reduction of stormwater runoff and the urban heat island effect;
- planting tree species that respond to the local climate and provide shade during summer;
- increasing the permeability of surfaces;
- locating screening plants adjacent to fences, retaining walls and unsightly objects;
- consideration for the potential impact/management of bushfires;
- using drought tolerant species which may include both natives and exotic species; and
- considering local native planting to encourage bird life.

Further information for Buyers and First Transferees on the Rebate can be found in the Guideline.

Amount of Rebate

The Buyer/Eligible First Transferee of an Eligible Block of land will be entitled to receive the Rebate where all the Eligibility Requirements have been fulfilled. The Rebate amount payable is dependent on the Block type and/or the Block Frontage as follows:

Block Type (definition in accordance with the Territory Plan)	Amount of Rebate
Compact Block	\$4,000
Mid Sized Block	\$6,000
Large Block	\$8,000
Block with Frontage greater than 25 metres	\$12,500

Eligibility Requirements

The Buyer/Eligible First Transferee of an Eligible Block will be eligible to receive the Rebate where:

- Settlement occurs within three (3) months of the date of the Contract;
- the Mandatory Requirements listed in the Housing Development Guide for the applicable Estate are met;
- the Front Garden Landscaping Works are completed in accordance with the requirements of the Guideline;
- the Verge (nature strip) including dryland grassing, streets trees, footpaths and driveways are reinstated to the same level and grade as at the time immediately prior to Completion and all Verges adjacent to the Block are clean and free from building materials, refuse and other rubbish;
- all landscaping works are contained within the Block Boundary, or any landscaping works undertaken on the Verge are in accordance with TCCS requirements;
- the Application Form is completed and submitted within the Prescribed Timeframe; and
- any other further information required by the Agency (as set out in the Application Form) is submitted within the Prescribed Timeframe.

Where landscaping works are undertaken on the Verge, the Buyer/Eligible First Transferee must first obtain a letter of approval from TCCS for those works and provide a copy of this approval to the Agency with the Application Form.

Prescribed Timeframe

The Buyer or Eligible First Transferee must complete the Front Garden Landscaping Works in accordance with the Guideline and submit the completed Application Form to the Agency by the earlier of:

- six (6) months from the date of issue of the Certificate of Occupancy and Use; and
- twenty four (24) months from date of Completion of the First Grant Contract.

Process to claim Rebate

To be eligible for the Rebate, Buyers or Eligible First Transferees must complete and submit the Application Form preferably by email to suburbanland@act.gov.au or by post to:

Landscape Rebate
 Suburban Land Agency
 GPO Box 158
 CANBERRA ACT 2601

The Agency is not obliged to consider an Application Form where:

- the Application Form is not lodged within the Prescribed Timeframe;
- the Application Form has not been fully completed and signed by the Buyer;
- the Applicant is not the Buyer or an Eligible First Transferee;
- the Applicant is not the Crown Lessee at the time of making the application; or
- the bank account name provided is not consistent with the name of the Crown Lessee.

Review of Front Garden Landscaping Works

On receipt of the Application Form, the Agency will conduct a review of the Front Garden Landscaping Works. If the Front Garden is not publicly accessible, the Agency may contact the Applicant to arrange attendance at the Front Garden to inspect the Front Garden Landscaping Works.

Where the Front Garden Landscaping Works do not comply with this policy and/or the Guideline, the Agency will contact the Applicant by email and provide advice on what improvements need to be made for the Front Garden Landscaping Works to comply.

The Applicant will only be provided one (1) opportunity to make improvements and remain eligible for the Rebate. The Agency may in its discretion specify a timeframe for those improvements to be made.

Payment of the Rebate

Where the Applicant satisfies the requirements of this policy and the Guideline, the Agency will pay the Rebate by direct deposit to the Australian bank account nominated by the Applicant in the Payment Details of the Application Form.

The Agency must use its best endeavours to pay the Rebate within eight to twelve (8-12) weeks of approval.

It is the Buyer/Eligible First Transferee's responsibility to ensure that the correct bank account details are provided in the Application Form.

Extensions of Time

The Agency may at its sole discretion grant an extension of time for Eligibility Requirements and/or compliance with the Policy and/or the Guideline where the Applicant proves genuine extenuating circumstances to the satisfaction of the Agency.

Records Management

The Agency is required to ensure that records generated from the requirements of this policy are accurately filed, stored and managed in accordance with the *Territory Records Act 2002* and Environment, Planning and Sustainable Development Directorate Records Management Program.

Records will include any correspondence or decisions relating to the Agency's administration of the Front Garden Landscape Rebate.

Evaluation

Outcome Measures	Method	Responsibility
All Rebate decisions within the scope of this policy have been managed in accordance with this policy.	Bi-annual file sampling of Rebate considerations and decisions.	Development Delivery Group

Related Documents

Legislation

- *City Renewal Authority and Suburban Land Authority Act 2017*
- *Territory Records Act 2002*

Policies and procedures

- *Front Garden Landscape Rebate Scheme and Guideline*
- *Front Garden Landscape Rebate Scheme Standard Operating Procedure*

Definition of Terms

In these definitions the singular includes the plural, and the plural includes the singular.

Applicant means the applicant in the Application Form which must be a Buyer or Eligible First Transferee of an Eligible Block.

Auction means a sale method where a Block is sold to the highest bidder (at or above a reserve price) through a public competitive bidding process.

Ballot means a sale method of a Block where the opportunity to purchase is allocated based on the results of a draw. The Block is sold at an advertised price.

Block means a parcel of land that may or may not contain buildings or other improvements.

Block Boundary means the boundary of a Block as shown on the Landscape Plans and does not include the Verge.

Building Contract means a contract for the construction of a building or other improvements on the Block.

Building Line means the building line of a Block as shown on the Landscape Plans.

Buyer means the person, persons or corporation listed as the buyer in the First Grant Contract entered into with the Agency.

Compact Block means a Block with an area of 250m² or less.

Completion means when all obligations under a First Grant Contract or Contract for Sale (including final payment) are met, commonly known as settlement.

Contract for Sale means a contract for the sale or purchase of a Block.

Crown Lease means the Crown Lease in respect of the Block.

Crown Lessee means the lessee of the Crown Lease.

Direct Sale (Over the Counter sale) means a sale method of a Block where it is sold to the first party to exchange contracts for an advertised price.

Directorate means the Environment, Planning and Sustainable Development Directorate as updated by the ACT Government from time to time.

Eligibility Requirements means the eligibility requirements set out in this policy.

Eligible Block means Blocks forming part of an Estate which are eligible for the Rebate as determined by the Agency, which will likely include Single Residential Blocks under a First Grant Contract entered into with the Agency, whether sold by Auction, Ballot or Direct Sale.

Eligible First Transferee means a First Transferee who enters into a Building Contract with the Buyer which does not include the Front Garden Landscaping Works.

Estate means a collection of Blocks forming an estate as determined by the Agency.

First Grant Contract means a contract for the first grant of the Crown Lease (being a form of Contract for Sale).

First Transferee means a person, persons or corporation who enters into a Contract for Sale for the purchase of a Block from a Buyer, whether before or after completion of the Front Garden Landscaping Works.

Front Garden means the area between the Building Line and the Block Boundary as shown on the Landscape Plans.

Front Garden Landscape Rebate or Rebate means the amount set out in this policy.

Frontage means the total length of the front boundaries of the Block that address the street.

Guideline means the Front Garden Landscape Scheme and Guideline for an Estate, a copy of which is available on the Agency's website.

Housing Development Guide means the housing development guide forming part of the First Grant Contract.

Kerb Line means the kerb line of a Block as shown on the Landscape Plans.

Landscape Plans means the plans annexed to this policy, depicting typical Front Garden Landscaping Works for Eligible Blocks.

Large Block means a Block with an area greater than 500m².

Mandatory Requirements means the mandatory requirements set out in the Housing Development Guide.

Mid Sized Block means a Block with an area greater than 250m² but less than or equal to 500m².

Prescribed Timeframe means the prescribed timeframe set out in this policy.

Settlement means when all obligations under a First Grant Contract or Contract for Sale (including final payment) are met, also known as completion.

Single Residential means a Crown Lease that requires development of a single residential dwelling.

TCCS means Transport Canberra and City Services or its successors.

Territory Plan means the *Territory Plan 2008* as amended and varied from time to time.

Verge means the area between the Block Boundary and the Kerb Line and commonly known as the nature strip, as shown on the Landscape Plans.

Version History

The following table details the published date and amendment details for this document

Version	Date	Amendment details
1.0	18 July 2019	First publication of Front Garden Landscape Rebate Scheme and Guideline Policy.

Landscape Plans

