



APPLICATION FOR LAND RENT LEASE

IMPORTANT: The LDA is not inviting offers for Land Rent Leases over blocks valued at greater than \$300,000 inclusive of GST. Land Rent is not available on these blocks.

This is an application to Planning and Land Authority and the Land Development Agency (LDA) as Planning and Land Authority's delegate to pay land rent for the Land Rent Lease of the Block subject to the Land Rent Lease for the Block being granted to the Applicant.

The LDA treats your right to privacy seriously and all personal information it collects is treated as confidential and is held in accordance with the requirements of the *Information Privacy Act 2014*. For further information please see the Privacy Policy on the LDA website.

APPLICATION INFORMATION AND CONDITIONS

References to “you” and “your”

A reference to “you” or “your” below is a reference to the Applicant or Applicants specified in this Application for Land Rent Lease.

1. Eligibility Criteria

To be eligible to be granted a Land Rent Lease you must meet the following three (3) Eligibility Criteria (in accordance with section 11 of the *Land Rent Act 2008* (ACT)):

- (a) you and your Domestic Partner must not own any other real property;
- (b) the combined income for you and your Domestic Partner must not exceed the Income Threshold Amount; and
- (c) you must live on the land following construction of a dwelling.

2. Compliance Check

A full compliance check of your details provided in this Application for Land Rent Lease and the Application for Discount – Land Rent and any other information requested and provided by you will be undertaken by the ACT Revenue Office, prior to settlement of the First Grant Contract.

If you are deemed ineligible for the grant of a Land Rent Lease following the compliance check:

- (a) you may elect to:
 - (i) purchase the right to a Standard Lease; or
 - (ii) rescind the First Grant Contract; or
- (b) if you have provided false or misleading information, the LDA may terminate the First Grant Contract and you will forfeit the Security Payment.

3. Acceptance or Rejection of Application

This Application for Land Rent Lease will be assessed in accordance with the conditions and requirements advertised for this sales process and may be rejected if:

- (a) you do not meet the Eligibility Criteria above; or
- (b) you or your Domestic Partner already have an exchanged First Grant Contract for a Land Rent Lease; or
- (c) the Application for Land Rent Lease has not

been fully completed or executed to the satisfaction of ACTPLA or LDA; or

- (d) you have made a false declaration in the Application for Land Rent Lease; or
- (e) you have not paid any applicable fee; or
- (f) ACTPLA or the LDA has not invited applications for the right to the grant of a Land Rent Lease for the Block; or
- (g) the Application for Land Rent Lease does not otherwise comply with the Applicable Conditions.

4. Security Payment

A Security Payment of \$2,000 is required on execution of a First Grant Contract for a Land Rent Lease. The Security Payment may only be made by way of a cheque in favour of the ‘Land Development Agency’.

If you exchange the First Grant Contract but do not complete the purchase of the Block, the Security Payment may be applied towards the damages suffered by the LDA.

Under the First Grant Contract you authorise the LDA to provide the Security Payment to the ACT Commissioner for Revenue as soon as possible following completion of the purchase, to be credited against future land rent payable on the Block.

Under the First Grant Contract no interest will be paid to you by the LDA in respect of the Security Payment.

If a Land Rent Lease for a block is not granted to you, other than as a result of a breach by you of the First Grant Contract, you will be entitled to a refund of the Security Payment.

5. Financial and Legal Advice

You will be required to obtain independent financial and legal advice and provide to the LDA's Solicitors the completed and executed:

- (a) Financial Advice Certificate; and
- (b) Statutory Declaration (witnessed by the solicitor who provided the advice),

within 30 days of exchange of the First Grant Contract.

If you do not comply with the above special conditions in the First Grant Contract, the LDA may terminate the First Grant Contract with you and retain the Land Rent Lease Liquidated Damages and pursue any other rights set out in the First Grant Contract.



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6. Canberra Institute of Technology (CIT) information session

In accordance with Regulation 3 of the *Land Rent Regulation 2008* (ACT), before the Land Rent Lease is granted you must:

- attend a Land Rent information session conducted by the CIT; and
- give evidence of your attendance at the session to the LDA or its appointed solicitor.

You will need to contact the CIT to arrange your attendance on (02) 6207 3244 or (02) 6207 3188.

You must attend the CIT Information Session and provide evidence of your attendance within 30 days of exchange of a First Grant Contract.

If you do not attend the CIT Information Session, or fail to provide evidence that you have satisfied this requirement, the LDA, may terminate the First Grant Contract with you and retain the Land Rent Lease Liquidated Damages and pursue any other rights set out in the First Grant Contract.

7. Stamp duty

Please note that stamp duty is payable on a Land Rent Lease in the same way as it is payable on a Standard Lease.

To the best of the LDA's knowledge, the stamp duty will be assessed on the amount listed as the 'Price' on the front page of the First Grant Contract by the ACT Commissioner for Revenue.

Please note that the Land Rent Lease will not be granted unless stamp duty has been paid to the ACT Revenue Office.

We recommend that you contact the ACT Revenue Office immediately on (02) 6207 0028 if you have any queries on the stamp duty payable in relation to the First Grant Contract. Further information can also be found at: www.revenue.act.gov.au

Disclaimer

In providing you with this application, the LDA and ACTPLA make no representations or warranties as to the suitability of a Land Rent Lease for you. The LDA strongly recommends that you make your own enquiries and that you obtain legal, financial and accounting advice prior to entering into a First Grant Contract for a Land Rent Lease. The LDA makes no representations or warranties regarding the lending requirements of finance providers.

Defined Terms appear in the First Grant Contract and as follows:

- ACT Revenue Office** means the ACT Revenue Office of the Commerce and Works Directorate.
- Applicable Conditions** means the conditions or requirements advertised for the sale of the Block.
- Applicant** means the natural person/s specified as such in this Application.
- Application for Discount – Land Rent** means

the prescribed form approved under the *Taxation Administration Act 1999* (ACT) or any form that replaces it.

- Block** means the block of land subject to your First Grant Contract.
- Eligibility Criteria** means the criteria set out in paragraph 1 of this Application for Land Rent Lease.
- First Grant Contract** means the legally binding contract in the form of the Specimen First Grant Contract, required to be executed by you and the LDA.
- Income Threshold Amount** has the same meaning as in the *Land Rent Act 2008* (ACT) – see www.revenue.act.gov.au
- Planning and Land Authority** means the body corporate established in accordance with the Planning Act.

Further information

For further information in relation to attendance at the CIT course or any other matters associated with the Land Rent Scheme, please refer to www.economicdevelopment.act.gov.au/affordable_housing/land_rent or email land.rent@act.gov.au

GUIDE TO COMPLETING THIS APPLICATION

Section 1. Applicant Details

All persons who wish to enter into a First Grant Contract for a Land Rent Lease must complete this part of this Application for Land Rent Lease. This includes Domestic Partners of each Applicant whether or not they will have an interest in the block.

If there are more than two (2) Applicants, another Application for Land Rent Lease must be completed and attached to this Application for Land Rent Lease.

All contact information should be provided.

Section 2. Income Details

To be eligible the combined income of you and your Domestic Partner must not exceed the Income Threshold Amount.

To self-assess your eligibility refer to the ACT Revenue Office website at www.revenue.act.gov.au

Section 3. Other Interests in Land

To be eligible all Applicants and their Domestic Partners must not own any other real property.

Section 4. Declaration and Undertaking

This section must be completed by each Applicant and their Domestic Partners, who must understand all details on this Application.



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Please complete all required fields in BLOCK LETTERS.

I/We the Applicant(s) apply to ACTPLA for the grant of a Land Rent Lease.

SECTION 1. APPLICANT DETAILS

Applicant 1

Title

First name

Middle name

Surname

Address

State Postcode

Postal address (if different to the above)

State Postcode

Phone (BH) Phone (AH)

Mobile

Email

Name of domestic partner (if applicable)

Full Name

Applicant 2 Tick if applicable

Title

First name

Middle name

Surname

Address

State Postcode

Postal address (if different to the above)

State Postcode

Phone (BH) Phone (AH)

Mobile

Email



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Please complete all required fields in BLOCK LETTERS.

SECTION 2. INCOME DETAILS

As at the date of this Application for Land Rent Lease, does the combined income of you and your Domestic Partner exceed the Income Threshold Amount?

Note: If you answer YES to this question, you are not eligible for the grant of a Land Rent Lease.
To self-assess your eligibility refer to the ACT Revenue Office website at www.revenue.act.gov.au
Eligibility at the date of signing this Application for Land Rent Lease does not guarantee eligibility at the Date for Completion of a First Grant Contract. Refer to the terms of the First Grant Contract for the consequences of being found ineligible.

Yes No

SECTION 3. OTHER INTERESTS IN LAND

As at the date of this Application for Land Rent Lease, do you or your Domestic Partner, either alone or jointly, hold a legal or equitable interest in land or property?

Note: If you answer YES to this question, you are not eligible for the grant of a Land Rent Lease.
Eligibility at the date of signing this Application for Land Rent Lease does not guarantee eligibility at the Date for Completion of a First Grant Contract. Refer to the terms of the First Grant Contract for the consequences of being found ineligible.

Yes No

SECTION 4. DECLARATION AND UNDERTAKING

Previously Exchanged Contracts

Do you or your Domestic Partner have any exchanged First Grant Contracts for Land Rent Leases?

Yes No

Note: If you answer YES to this question, you are not eligible for the grant of a Land Rent Lease.
Eligibility at the date of signing this Application for Land Rent Lease does not guarantee eligibility at the Date for Completion of a First Grant Contract. Refer to the terms of the First Grant Contract for the consequences of being found ineligible.



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Please complete all required fields in BLOCK LETTERS.

Statutory declaration – Applicant 1

I, (full name)

Being a (occupation)

of (address)

- make the following declarations under the Statutory Declarations Act 1959 (Cth):
1. the Applicant(s) listed in this form apply to the LDA, as Planning and Land Authority's delegate, to enter into a First Grant Contract for the right to the grant of a Land Rent Lease;
 2. I confirm that I believe, on reasonable grounds, that at the time a First Grant Contract for the grant of a Land Rent Lease is completed:
 - (a) the Applicant(s) will not own any other real property;
 - (b) the combined total income of the Applicant(s) will not exceed the income threshold to be eligible for Land Rent under the *Land Rent Act 2008*; and
 - (c) at least one Applicant will live on the Land following construction of a dwelling;
 3. I undertake to promptly provide any further information and documents relevant to determining eligibility for the grant of a Land Rent Lease requested by the ACT Revenue Office;
 4. I authorise Planning and Land Authority, the LDA and the ACT Revenue Office to verify any of the information provided in this declaration with any other directorate or other business unit, agency or authority of the Territory;
 5. I authorise the ACT Revenue Office to notify the LDA of the outcome of the compliance check of my eligibility for the grant of a Land Rent Lease;
 6. I have read and understood all information provided in the applicable conditions including all pages of this Application for Land Rent Lease thoroughly;
 7. I have read and understood all information provided in the Land Development Agency Over the Counter Sale Conditions thoroughly;
 8. The information provided by me in this Application for Land Rent Lease is true and correct to the best of my knowledge and belief.

I understand that a person who intentionally makes a false declaration in a statutory declaration is guilty of an offence under Section 11 of the *Statutory Declarations Act 1959* (Cth), and I believe that the statements in this declaration are true in every particular.

Signed (Applicant 1 signature)

Declared at (place)

On (date)

D	D	M	M	Y	Y
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Before me (signature of witness)

Full name of witness

Qualification of witness (see authorised witness list on page 8)

Address of witness

State

 Postcode

Please turn over for Applicant 2



APPLICATION FOR LAND RENT LEASE

Please complete all required fields in BLOCK LETTERS.

Statutory declaration – Applicant 2 or Domestic Partner

I, (full name)

Being a (occupation)

of (address)

- make the following declarations under the Statutory Declarations Act 1959 (Cth):
- the Applicant(s) listed in this form apply to the LDA, as Planning and Land Authority's delegate, to enter into a First Grant Contract for the right to the grant of a Land Rent Lease;
 - I confirm that I believe, on reasonable grounds, that at the time a First Grant Contract for the grant of a Land Rent Lease is completed:
 - the Applicant(s) will not own any other real property;
 - the combined total income of the Applicant(s) will not exceed the income threshold to be eligible for Land Rent under the *Land Rent Act 2008*; and
 - at least one Applicant will live on the Land following construction of a dwelling;
 - I undertake to promptly provide any further information and documents relevant to determining eligibility for the grant of a Land Rent Lease requested by the ACT Revenue Office;
 - I authorise Planning and Land Authority, the LDA and the ACT Revenue Office to verify any of the information provided in this declaration with any other directorate or other business unit, agency or authority of the Territory;
 - I authorise the ACT Revenue Office to notify the LDA of the outcome of the compliance check of my eligibility for the grant of a Land Rent Lease;
 - I have read and understood all information provided in the applicable conditions including all pages of this Application for Land Rent Lease thoroughly;
 - I have read and understood all information provided in the Land Development Agency Over the Counter Sale Conditions thoroughly;
 - The information provided by me in this Application for Land Rent Lease is true and correct to the best of my knowledge and belief.
- I understand that a person who intentionally makes a false declaration in a statutory declaration is guilty of an offence under Section 11 of the *Statutory Declarations Act 1959* (Cth), and I believe that the statements in this declaration are true in every particular.

Signed (Applicant 2 signature)

Declared at (place)

On (date)

D	D	M	M	Y	Y
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Before me (signature of witness)

Full name of witness

Qualification of witness (see authorised witness list on page 8)

Address of witness

State

 Postcode



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Please complete all required fields in BLOCK LETTERS.

PERSONS BEFORE WHOM STATUTORY DECLARATIONS MAY BE MADE

Members of the following professions:

- Chiropractor
- Dentist
- Legal practitioner
- Medical practitioner
- Nurse
- Optometrist
- Patent Attorney
- Pharmacist
- Physiotherapist
- Psychologist
- Trademarks attorney
- Veterinary surgeon

other persons:

- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- Australian Consular Officer, or Australian Diplomatic Officer, (within the meaning of the Consular Fees Act 1955)
- Bailiff
- Bank officer with five (5) or more continuous years of service
- Building society officer with five (5) or more years of continuous service
- Chief Executive Officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with five (5) or more years of continuous service
- Employee of the Australian Trade Commission who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3(d) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place

- Employee of the Commonwealth who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3(c) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
- Fellow of the National Tax Accountants' Association
- Finance company officer with five (5) or more years of continuous service
- Holder of a statutory office not specified in another item in this part
- Judge of a court
- Justice of the Peace
- Magistrate
- Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
- Master of a court
- Member of Chartered Secretaries Australia
 - Member of Engineers Australia, other than at the grade of student
- Member of the Association of Taxation and Management Accountants
- Member of the Australian Defence Force who is:
 - (a) an officer; or
 - (b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with five (5) or more years of continuous service; or
 - (c) a warrant officer within the meaning of that Act
- Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountant

- Member of:
 - (a) the Parliament of the Commonwealth; or
 - (b) the Parliament of a State; or
 - (c) a Territory legislature; or
 - (d) a local government authority of a State or Territory
- Minister of religion registered under Subdivision A of Division 1 of the Part IV of the Marriage Act 1961
- Notary public
- Permanent employee of:
 - (a) The Commonwealth or of a Commonwealth authority; or
 - (b) a State or territory or of a State or Territory authority; or
 - (c) a local government authority; with five (5) or more years of continuous service who is not specified in another item in this part
- Permanent employee of the Australian Postal Corporation with five (5) or more years of continuous service who is employed in an office supplying postal services to the public
- Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
- Police officer
- Registrar, or Deputy Registrar, of a court
- Senior Executive Service employee of:
 - (a) the Commonwealth or a Commonwealth authority; or
 - (b) a State or Territory, or a State or Territory authority
- Sheriff
- Sheriff 's officer
- Teacher employed on a full-time basis at a school or tertiary education institution
- Member of the Australian Institute of Mining and Metallurgy