



ACT
Government

Economic Development

Direct Sale of Land Eligibility Application

Commercial

Name of Applicant:

Date of application:

 / /

Received (office use):




 / /

Section A Instructions

Complete and submit this Direct Sale of Land Eligibility Application to the Economic Development Directorate (EDD) to find out if you are eligible to apply for a direct sale of land for commercial use. Part of your application requires that you make a relevant business case for your proposal, to provide justification for a direct sale of the land rather than a sale by other means. This form is designed to help you communicate your business case. For this reason, it is essential that you fill in all sections as directed and attach all supporting evidence that is requested.

For more information on the direct sale of land process, go to the EDD website www.economicdevelopment.act.gov.au

Completing your Eligibility Application

READ	Read the Eligibility Application taking note of the symbols:  Denotes supporting documentation that you are required to attach;  Denotes that you may need help from a property professional; and  Denotes that you should go to the Help Section at Section K at the end of this document for information on relevant legislation and links.
COMPLETE	Complete all sections of the eligibility application. Follow the questions in sequential order unless directed otherwise. <i>Note: If a section is 'not applicable' to your application this must be stated.</i>
ATTACH	Attach all relevant documentation that is requested. Please note that if at any point you do not have enough room to list all that is required, please attach the information and mark this clearly on your application.
SIGN	The Statutory Declaration must be completed by the person authorised to represent the applicant and that person's name, address and occupation must be stated.
SUBMIT	Submit your completed application (one hard copy and one disk copy saved in PDF format) and your supporting documentation (one hard copy of each).

Submitting your application

By mail	Director, Sustainable Land Strategy Economic Development Directorate GPO Box 158 CANBERRA CITY ACT 2601
In person	Director, Sustainable Land Strategy Economic Development Directorate Level 6, Transact Building 470 Northbourne Avenue DICKSON ACT

Enquiries

Contact Direct Sales, Sustainable Land Strategy, Economic Development Directorate on **(02) 6205 1632**

DISCLAIMER:

This material is provided as guidance for applicants and no undertaking or representation is made that an applicant would be eligible for the grant of land by answering the questions in the attached forms or following the procedures herein. Applicants should consult the relevant legislation and where appropriate, obtain their own legal advice.

Section B Your Details

Q1 Applicant Details Enter the applicant details (the name in which the lease will be granted) for your company or partnership

Company Name:

ABN:

Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Email:

Q2 Directors, Partners and Associates Enter the full names, addresses and occupations of all directors, partners and associates

Name:

Position:

Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Name:

Position:

Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Name:

Position:

Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Q3 Parent Company If your company is a subsidiary, provide details about your parent company

Name:

Place of incorporation:

Relationship: Wholly controlled Partially controlled

Q4 Subsidiaries If your company is a holding company, provide details about your subsidiaries

Name:	<input type="text"/>		
Place of incorporation:	<input type="text"/>		
Relationship:	Wholly controlled <input type="checkbox"/>	Partially controlled <input type="checkbox"/>	
Name:	<input type="text"/>		
Place of incorporation:	<input type="text"/>		
Relationship:	Wholly controlled <input type="checkbox"/>	Partially controlled <input type="checkbox"/>	

Q5 Trading Names If your company uses other trading names, provide contact details for each

Trading Name:	<input type="text"/>		
Address:	Unit: <input type="text"/> <input type="text"/> <input type="text"/>	Street number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Street name or PO Box: <input type="text"/>
	State: <input type="text"/> <input type="text"/> <input type="text"/>	Postcode: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	City/Suburb/Town <input type="text"/>
Phone number:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		
Trading Name:	<input type="text"/>		
Address:	Unit: <input type="text"/> <input type="text"/> <input type="text"/>	Street number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Street name or PO Box: <input type="text"/>
	State: <input type="text"/> <input type="text"/> <input type="text"/>	Postcode: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	City/Suburb/Town <input type="text"/>
Phone number:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		

Q6 Representatives Enter the contact details for a primary and a secondary contact who will act as your representative during the direct sale of land process.

Primary Representative:	<input type="text"/>		
Position:	<input type="text"/>		
Address:	Unit: <input type="text"/> <input type="text"/> <input type="text"/>	Street number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Street name or PO Box: <input type="text"/>
	State: <input type="text"/> <input type="text"/> <input type="text"/>	Postcode: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	City/Suburb/Town <input type="text"/>
Phone number:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		
Email:	<input type="text"/>		
Secondary Representative:	<input type="text"/>		
Position:	<input type="text"/>		
Address:	Unit: <input type="text"/> <input type="text"/> <input type="text"/>	Street number: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Street name or PO Box: <input type="text"/>
	State: <input type="text"/> <input type="text"/> <input type="text"/>	Postcode: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	City/Suburb/Town <input type="text"/>
Phone number:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		
Email:	<input type="text"/>		

Q7 Bankers Enter the contact details for your company's bankers.

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Q8 Accountants Enter the contact details for your company's accountants.

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Q9 Solicitors Enter the contact details for your company's solicitors.

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Name:

Business Address: Unit: Street number: Street name or PO Box:

State: Postcode: City/Suburb/Town:

Phone number:

Section C Your Proposal

Q10 The Land Describe why you want the land and how you will use it. What types of business activities will you perform? What types of goods and services will you provide?

Rationale and Alternatives In the following questions describe why your company needs to obtain the land through direct sale and what other options you have considered:

Q11 Explain why you need to obtain land through a direct sale, rather than another process:

Q12 If your company has investigated alternatives to a direct sale of land, describe the actions you have taken:

Section D Proposal Specifics

Q13 The Site Do you have a preferred site?


Yes ► Go to **Q14**

No ► Go to **Q24**

Q14 If you have a preferred site, please provide details:



Block: Section: Division:

Size (m²) Current Territory Plan Zoning 

Why this site is preferred:

Q15 The Land Use Attach a sketch plan of the ideal site layout, including:



- Proposed buildings
- Car parking facilities
- Public access arrangements



You should also indicate the staging of the development

Q16 Contiguous Land Are you making an application for contiguous unleased land as described in Section 110 or Section 122 of the *Planning and Development Regulation 2008*? 


Yes ► Go to **Q17**

No ► Go to **Q25**

Q17 Is the land for the proposed lease adjoining land on which you hold a current lease?


Yes ► Go to **Q20**

No ► Go to **Q18**

Q18 Are you submitting this application to rectify an encroachment so the existing lease can be subdivided under the *Unit Titles Act 2001*?  (Examples of such encroachments include balconies or signs that cross a boundary into unleased land)

Yes ► Go to **Q20**

No ► Go to **Q19**

Q19 Explain how your proposal would facilitate the achievement of a good planning outcome? 

Q20 Explain why the contiguous land would not be viable for separate lease because of its size, location or configuration:

Q21 Explain how your proposal maintains or enhances the amenity of the surrounding area:

Q22 Explain how your proposal will promote better land management, including how it will not unreasonably restrict public access to other land:

Q23 Does the *Territory Plan* identify this land as public land? ⓘ

Yes ► Go to **Q20**

No ► Go to **Q19**

Q24 Unknown Site If you do not have a preferred site, provide details about the type of site you require:

Land area estimate (m²):

Preferred location:

Why this site is preferred:

Q25 The Buildings Describe the proposed buildings:

Type of building:

Gross floor area (m²):

Type of building:

Gross floor area (m²):

Type of building:

Gross floor area (m²):

Type of building:

Gross floor area (m²):

Type of building:

Gross floor area (m²):

Total floor area (m²):

Q26 If your proposed activity has any special location, land or building requirements, describe those requirements:

Q27 Car Parking Facilities Describe the proposed car parking facilities for your proposal:

Q28 The Development Schedule Explain how you will schedule the development. If you will develop the land in stages, describe the stages and the estimated timeframe:

Stage 1:

Start date:

 / /

End date:

 / /

Stage 2:

Start date:

 / /

End date:

 / /

Stage 3:

Start date:

 / /

End date:

 / /

Stage 4:

Start date:

 / /

End date:

 / /

Stage 5:

Start date:

 / /

End date:

 / /

Q29 The Management Explain how you will maintain the viability of this development into the future, including its social, economic and environmental sustainability

Section E Your Company

Q30 Activities or Services Describe your company's business activities: the goods and services your company provides

Q31 Date of Incorporation and/or ASIC Registration Enter the date of your company's incorporation:

 / /

Attach your certificate of incorporation

Q32 Is your company registered with the Australian Securities and Investments Commission (ASIC)?

Yes ▼

Enter date on which your company was registered, then go to **Q33**

No ► Go to **Q33**

Date:

 / /

Q33 Current Employees Enter the approximate number of staff employed by your company:

Q34 Future Employees Estimate the number of employees that you expect will be engaged in the proposed activity over the next 5–10 years:



Attach a copy of your annual report and any other evidence, such as a personnel forecast extracted from a business plan, to substantiate the future employee estimates

Q35 Current Land Holdings If your company currently holds land in the ACT or region identify the land, explain how you're using it and why it cannot accommodate the proposed development

Site 1:

Block: Section:

Address: Street number: Street name

State: Postcode: City/Suburb/Town

Lease period:

Land use:

Is this site fully developed? Yes No

Why it can't be used for the proposed development?

Site 2:

Block: Section:

Address: Street number: Street name

State: Postcode: City/Suburb/Town

Lease period:

Land use:

Is this site fully developed? Yes No

Why it can't be used for the proposed development?

Site 3:

Block: Section:

Address: Street number: Street name

State: Postcode: City/Suburb/Town

Lease period:

Land use:

Is this site fully developed? Yes No

Why it can't be used for the proposed development?

Site 4:

Block: Section:

Address: Street number: Street name

State: Postcode: City/Suburb/Town

Lease period:

Land use:

Is this site fully developed? Yes No

Why it can't be used for the proposed development?

Q36 Previous Direct Sales Has your company (including any parent or subsidiary entities) ever previously applied for a direct sale of land?

Yes ▼ Provide details below: No

Q37 Other Projects If your company has other land development projects in progress in the ACT or other jurisdictions, provide a brief description and the estimated costs of each:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Project description and location:

Estimated costs:

Total estimated costs:

Section F Your Financial Capacity

Q38  Attach audited financial statements from the previous two financial years

Q39  Attach bank statements for the two previous financial years

Q40 Costs Itemise your cost estimates for the acquisition, development and maintenance of a parcel of land. NOTE: You may be required to contribute to the cost of offsite infrastructure works. Please consider this when providing your estimates.

Land acquisition

Land (based on the area required)	Cost Estimate:	<input type="text"/>
Professional services and advice	Cost Estimate:	<input type="text"/>
Other	Cost Estimate:	<input type="text"/>
Subtotal	Cost Estimate:	<input type="text"/>

Land development


Approvals	Cost Estimate:	<input type="text"/>
Buildings	Cost Estimate:	<input type="text"/>
Fit-outs, plant and equipment	Cost Estimate:	<input type="text"/>
Landscaping	Cost Estimate:	<input type="text"/>
Car parking	Cost Estimate:	<input type="text"/>
Professional services and advice	Cost Estimate:	<input type="text"/>
Other	Cost Estimate:	<input type="text"/>
Subtotal	Cost Estimate:	<input type="text"/>
Contingency (15% of the land development subtotal)	Cost Estimate:	<input type="text"/>

Land management


Professional services and advice	Cost Estimate:	<input type="text"/>
Annual maintenance	Cost Estimate:	<input type="text"/>
Other	Cost Estimate:	<input type="text"/>
Subtotal	Cost Estimate:	<input type="text"/>
Total estimated costs (sum of ALL subtotals plus contingency)		<input type="text"/>

Q41 Funding List all of your funding sources for the acquisition, development and maintenance of the land:


Grants	Amount:
Subtotal:	

-  Attach one of the following for each grant:
- A letter of support from each source that states the amount of funds they are willing to commit to the project
 - A document that shows you have applied for a grant, stating the amount of funding, the circumstances on which the grant is based and the expected decision date


Loans	Amount:
Subtotal:	

-  Attach a letter of support from each source (bank or other) that states the amount of funds they are willing to commit to the project

Cash	Amount:
Subtotal:	

-  Attach current account statements that show the total amount of the cash holdings for each source

Other, including partnerships	Amount:
Subtotal:	

-  Attach supporting documents. Where there is a partnership:
- Attach a formalised contract indicating the relationship between your company and the funding partner
 - Attach your partner's audited financial statements from the two previous financial years
 - Attach your partner's bank statements for the two previous financial years

Total:

Q42 Totals Confirm that the total funding exceeds the total estimated costs

Funding (enter funding total from **Q41**):

Costs (enter costs total from **Q40**):

Difference (funding – costs):

Is the difference (funding – costs) positive?

Yes ► Go to **Q46**

No ► Go to **Q43**

Q43 Is the difference greater than the contingency calculated in question **Q36**?

Yes ► Go to **Q44**

No ► Go to **Q46**

Q44 Will you fund the difference by obtaining additional financing?

Yes ▼

Explain your reasoning:

No ► Go to **Q45**

Q45 Will you fund the difference by scaling back the development?

Yes ▼

Explain your reasoning: ▼

No ►

Your funding is insufficient to submit this application.

You may wish to consider the following questions:

- Can you revise your proposal so that it can be achieved with your current level of funding?
- Can you seek additional sources of funding?

Section G Public Benefit

Q46 Section 240 (2) of the *Planning and Development Act 2007* states that for a lease to be granted by direct sale other than in accordance with the prescribed criteria (i.e. for commercial entities) you must demonstrate that your proposal meets one or more grant objectives listed. You must demonstrate that a sale by other means (i.e. a competitive process on the open market) is not likely to meet a grant objective or is unlikely to meet an objective to the same extent as a grant of lease by direct sale.

The grant objectives identified in legislation are listed below. Please state how your company meets at least one of these objectives: ⓘ

- Benefit the economy of the ACT or region;
- Contribute to the environment, or social or cultural features in the ACT;
- Introduce new skills, technology or services in the ACT;
- Contribute to the export earnings and import replacement of the ACT or region; or
- Facilitate the achievement of a major policy objective.

Section H Your Capabilities

Q47 Expertise and Experience Describe the expertise, experience and any qualifications of your staff or contractors in relation to:

- Developing land
- Managing land
- Operating the proposed business

Name:

Employment status:

Permanent

Contractor

Other:

Qualification/s:

Expertise/
experience:

Name:

Employment status:

Permanent

Contractor

Other:

Qualification/s:

Expertise/
experience:

Name:

Employment status:

Permanent

Contractor

Other:

Qualification/s:

Expertise/
experience:

Name:

Employment status:

Permanent

Contractor

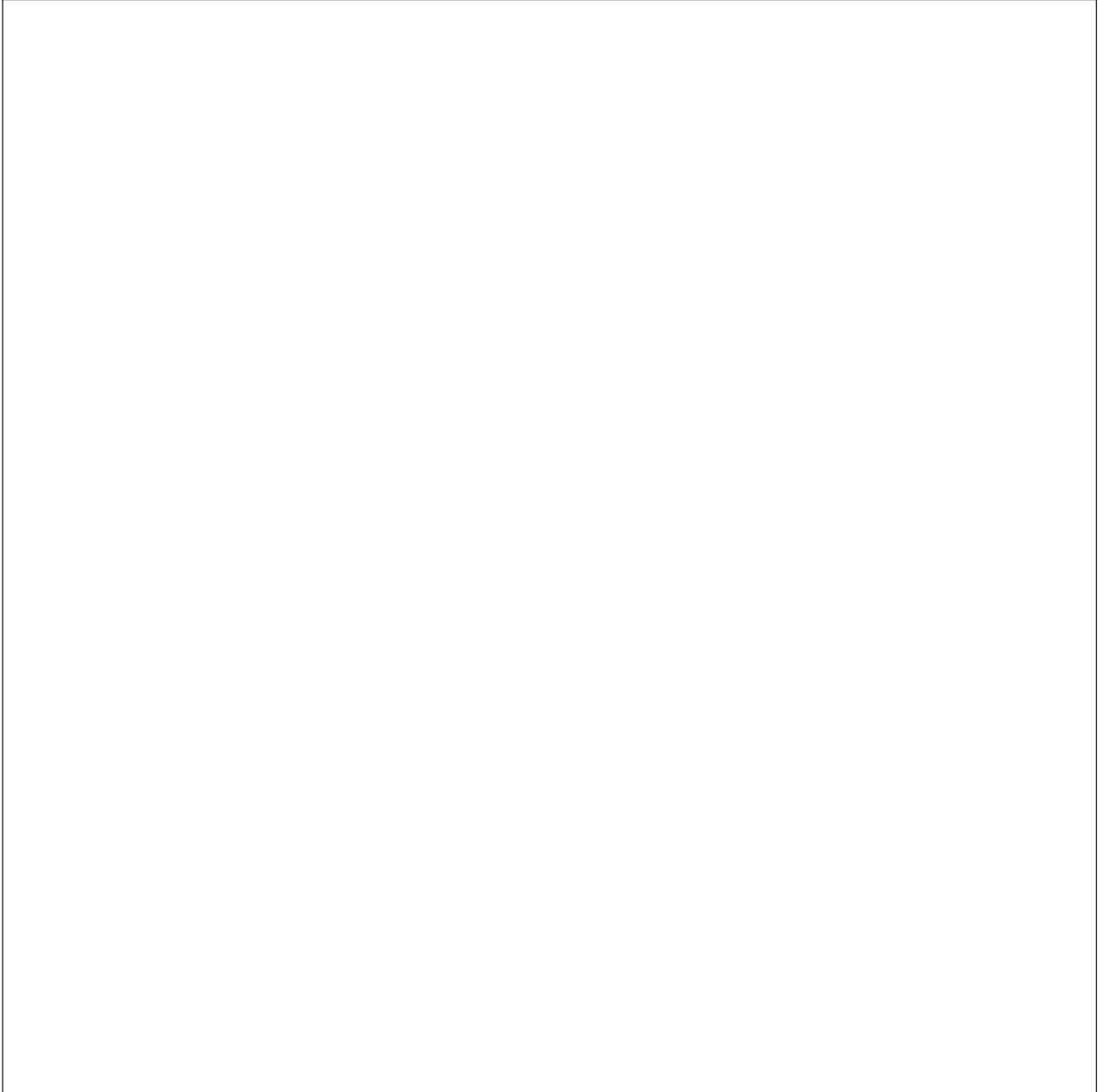
Other:

Qualification/s:

Expertise/
experience:

Q48 Describe any other resources your company has at its disposal to do all of the following:

- Develop land
- Manage land
- Operate the proposed business



Section I Statutory Declaration

Statutory Declarations Act 1959 (Commonwealth)

I, *[name, address and occupation of person making the declaration]*

Make the following declaration under the *Statutory Declarations Act 1959 (Commonwealth)*:

That the answers to questions and the statements made in this application are true and correct in every particular.

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

Signature: *[of person making declaration]*

Declared at: *[place]*

on: *[day]*

of: *[month]*

[year]

Before me,

Signature: *[of person before whom the declaration is made]*










Section J Checklists

Overall Checklist Before submitting this eligibility application form, please check that you have done all of the following:

- General** You have followed the questions in sequential order, completed all that you were directed to answer and attached all documents requested (complete the "attachment checklist" over page)
- Any questions that you were directed to fill in but were not applicable to you are clearly stated as "N/A"
- Section B** The applicant listed is the name in which the lease is to be granted. Note: for contiguous land this must be the existing lessee.
- Section C** You have clearly stated why you need to obtain the land through direct sale rather than another process
- Section D** You have clearly identified whether the block you are applying for is contiguous land
- Section E** All current developments, previous direct sales and current leases of your business are listed.
- Section F** You have used the correct contingency in your calculations.
- Note: If funding is to be provided from a parent company, subsidiary, or another organisation etc., you must confirm the relationship and provide confirmation of that funding support (financial information must be current i.e. within the last six months).
- Section G** You have noted the public benefits of your proposal
- Section H** You have described the expertise, experience and any qualifications of your staff or contractors in relation to developing land, managing land and operating the proposed business.
- Section I** You have completed and signed the statutory declaration

Attachment Checklist Before submitting this eligibility application form, please check that you have attached all of the following documents:

Required for all applications

-  **Q15** Attach a sketch plan of the ideal site layout, including:
- Proposed buildings
 - Car parking facilities
 - Public access arrangements
- You should also indicate the staging of the development
-  **Q31** Attach your company's certificate of incorporation
-  **Q34** Attach a copy of your annual report and any other evidence, such as a personnel forecast extracted from a business plan, to substantiate your future employee estimates
-  **Q38** Attach audited financial statements from the previous two financial years
-  **Q39** Attach bank statements for the two previous financial years
- Only attach if directed to do so**
-  **Q41** If your funding source is grants, attach one of the following for each grant:
- A letter of support from each source that states the amount of funds they are willing to commit to the project
 - A document that shows you have applied for a grant, stating the amount of funding, the circumstances on which the grant is based and the expected decision date
-  **Q41** If your funding source is a loan, attach a letter of support from each source (bank or other) that states the amount of funds they are willing to commit to the project
-  **Q41** If your funding source is cash, attach current account statements that show the total amount of the cash holdings for each source
-  **Q41** If you have any other funding sources, including partnerships, attach supporting documents.
- Where there is a partnership:
- Attach a formalised contract indicating the relationship between your company and the funding partner
 - Attach your partner's audited financial statements from the two previous financial years
 - Attach your partner's bank statements for the two previous financial years

Section K Help Section

The following list of legislation and links may be helpful in completing this form.

Useful Legislation

All ACT Legislation can be accessed at www.legislation.act.gov.au

[Planning and Development Act 2007](#)

- **Section 240 (2)** provides the circumstances where a direct sale of land may be considered other than in accordance with prescribed criteria
- **Section 240 (4)** lists specified grant objectives

[Planning and Development Regulation 2008](#)

- **Section 110** and **Section 122** relate to contiguous land
- **Section 110 (1)** provides an example of a good planning outcome

[Territory Plan](#)

[Unit Titles Act 2001](#)

Other Important Links

The ACT Economic Development Directorate (EDD) website

www.economicdevelopment.act.gov.au

- For more information on the direct sale of land process visit [direct land sales](#) on the EDD website