

PROCESSING OF THE APPLICATION

On receipt of the application, the proposal is assessed. If it meets the qualification criteria, the status and availability of the land is checked.

If the land is available, further investigation and consultation is carried out to determine planning, environmental and service authority requirements, and native title implications.

An offer of land together with a draft lease may then be forwarded to the applicant. Most offers are on the basis of a Crown lease term initially for the period of constructing the proposed development. A Crown lease term is a form of title whereby a person or party leases land owned by the Crown. It is a lease containing conditions and covenants requiring development to be undertaken in accordance with the agreed development plan.

Once the development has been completed the Crown lease term converts to a Crown lease perpetual which continues indefinitely, subject to compliance with certain conditions.

It is important to note that a prescribed property notice under the *Associations Act* will be registered on the Crown lease. Prescribed property is defined as land that was granted by, or purchased using funds obtained under a grant from the Territory or the Commonwealth, and includes an interest, whether legal or equitable, in the property. Prescribed property also includes grants received from the Territory or the Commonwealth for the development of improvements on the land. An incorporated association cannot dispose of, charge or otherwise deal with the Crown lease without consent from the relevant Minister.

There are no annual rental fees for the duration of the Crown lease, however, the community group is required to pay all rates, taxes and servicing bills that are due from time to time relating to the leased land.

At any time once the development has been completed, the community group can elect to convert to freehold title on payment of the current market value of the land as determined by the Australian Valuation Office. Freehold title is the highest form of estate in land and the nearest the law allows a real property owner to approach complete ownership for an unlimited duration.

WHERE TO GET ADDITIONAL INFORMATION

From the nearest regional office of the Department of Lands and Planning:

Darwin

2nd Floor, Cavenagh House, 38 Cavenagh Street,
Darwin

Ph: (08) 8999 6117

Katherine

1st Floor, Government Centre, First Street,
Katherine

Ph: (08) 8973 8922

Alice Springs

1st Floor, Alice Plaza, Todd Mall, Alice Springs

Ph: (08) 8951 9243

COMMUNITY LAND GRANT INFORMATION BROCHURE

July 2011



Northern Territory Government

WHEN CAN AN APPLICATION FOR A COMMUNITY LAND GRANT BE MADE?

Community groups eligible for this scheme have to be an incorporated association, society, or institution which undertakes one of the following activities in whole or in part of the Northern Territory:

- a religious, educational, benevolent or charitable purpose;
- the purpose of promoting or encouraging literature, science, art or a cultural activity; or
- the purpose of sport or recreation.

Applications will not be accepted from groups which are not incorporated.

Individual groups are urged to consider sharing existing facilities.

Please note that submitting an application form does not automatically guarantee that the subject land will be granted. A thorough investigation process is undertaken to determine the following:

- that the applicant has the necessary financial and other relevant resources, including expertise, to complete the proposed development within a reasonable period of time;
- the proposed development is of a scale appropriate to the particular site;
- the proposed development is in accordance with land use planning principles and the Northern Territory Planning Scheme;
- the implications of native title have been addressed; and
- matters relating to the impact on the environment have been considered.

It is important to note that applications will NOT be accepted if the Government proposes to release the subject land by a public competitive process; or has been set aside for future purposes.

The grant of land can be a lengthy process (approximately 16 months or even longer if there are native title issues), and the timeframe for any application can vary substantially.

BEFORE APPLYING THE APPLICANT SHOULD

1. Determine the source of finance and other resources necessary to complete the proposed development within a reasonable time frame;
2. Be sure that the proposal falls within the qualification criteria listed above; and
3. Discuss the proposal with a project officer of the Land Administration Division to ascertain if an application would be considered.

HOW TO APPLY

By preparing an application and report which contains the information specified in this brochure and arranging an appointment with a project officer to lodge it at the appropriate regional area office (details overleaf).

WHAT DETAILS NEED TO BE SUPPLIED?

The application must be accompanied by a report containing ALL of the following information:

- Copy of the Association's Certificate of Incorporation;
- Copy of the Association's constitution;
- Details on the current membership of the Association (please only provide numbers of persons over the age of 18 years);
- Copies of the Association's audited financial statements for the previous three (3) years;
- Evidence of availability of finance to carry out, complete and maintain the development;
- An estimated construction program, including development period and total value of

improvements proposed, number of stages and value of improvements at each stage, and estimated completion date of each stage;

- Plans showing the location of the proposed development and the subject site with respect to surrounding roads and land;
- A site plan at a scale of not less than 1:500 showing the following information with an indication of proposed staging of the development:
 - the north point, area of the existing parcel and boundary dimensions;
 - proposed buildings and their distance from the lot boundaries;
 - vehicle access points;
 - location of car parks and driveways;
 - landscape and open space areas including details of screening and/or fencing; and
 - the proximity of adjoining buildings and their use.
- Floor layout plan/s at a scale not less than 1:200 showing proposed building layout, room sizes and uses.

As much detail as possible needs to be supplied with the application, as this may avoid unnecessary delays.

FEES REQUIRED

Each application must be accompanied by a \$704 non-refundable processing fee at time of lodgement. Cheques are to be made payable to the Receiver of Territory Monies (RTM).