



Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Ms Shirley Lithgow
Secretary Combined Community Councils' Meeting
Woden Valley Community Council Inc.
PO Box 280
WODEN ACT 2606

Dear Ms Lithgow

Thank you for your letter of 27 April 2011 to the former Chief Minister about the Combined Community Councils' motion on concessional leases. With the recent transfer of Ministerial responsibilities after the retirement of Mr Jon Stanhope, your request now falls within my portfolio and so your letter has been forwarded to my office.

As you are aware, leases in the ACT are administered by the ACT Planning and Land Authority within the Environment and Sustainable Development Directorate, under the *Planning and Development Act 2007*. The Act provides a framework that applies rigour to the way concessional leases are granted and administered, including decisions about their transfer, subletting, assignment or the removal of their concessional status.

The framework principally recognises concessional leases as important community assets. It also provides Government with the flexibility to consider proposals related to their use or change of use, based on the merits of the proposal, including changing ACT community needs.

In addition to the legislation, many concessional leases are located in the Community Facility Zone under the Territory Plan. This restricts the use options available to such leases, while affording appropriate flexibility for them to evolve over time in response to societal needs. Any variation to a lease to change the use or remove its concessional status required a development application and public notification of the proposal. This provides an opportunity for public comment on a proposed change of use. In these instances, only the Minister for Planning can determine the development application.

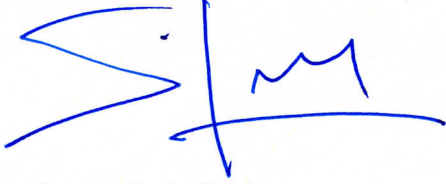
It would be impractical and unviable for the Government to require the surrender of every concessional lease should that land no longer be required for original purpose of the grant. It would be inconsistent with the provisions of the Planning and Development Act, which provides for each concessional lease to be considered on a case by case basis, to determine the societal need for the land to be retained in its concessional status, returning to Government or used for an alternative higher purpose that meets relevant policy objectives.

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601
Phone (02) 6205 0000 Fax (02) 6205 0535 Email corbell@act.gov.au

Thank you for raising this matter with me. I trust this information is of assistance.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a vertical line and a series of loops and a horizontal stroke.

Simon Corbell MLA
Minister for the Environment and Sustainable Development

20.6.11