

## Land Rent

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The land rent scheme lets a person lease the land rent block of land on an ongoing basis by paying a percentage of the value of the land. This reduces the entry costs and mortgage payments for homeowners.

A person can also choose to purchase the land outright from the Government at a later date.


The benefit of the scheme is to enable people to buy a home sooner by reducing borrowing costs from banks, allowing people to save to buy the land outright in the future while paying land rent.

## Changes to scheme

As of 1 October 2013, entry to the Land Rent Scheme will only be available to those who meet eligibility requirements for the discount rate.

All lessees who are already in the scheme prior to 1 October 2013 will be unaffected by the changes. The existing rights and privileges that these lessees have under their Crown Lease will continue. These lessees will be able to transfer their Crown Lease and be able to move between the discount and standard rates as their circumstances change.

## Useful Information

- [Land Rent: Am I eligible?](#)
  - [Land rent availability](#)
  - [Applying for land rent](#)
  - [Purchasing a land rent block](#)
  - [Paying your land rent](#)
  - [Land rent security payment](#)
  - [Available finance](#)
  - [CIT information sessions](#)
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## Important Links

- [Land rent frequently asked questions](#)
- [Land Rent Act](#)

For enquiries: [\*\*Contact Us\*\*](#)

# Land Rent Eligibility

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From 1 October 2013, you must meet the three eligibility criteria to be able to enter the Land Rent Scheme.

## Question 1: What is your annual total gross income?

To be eligible for land rent, you must meet the income criteria. From 1 October 2013, income will be calculated on a household basis, and includes the income of the lessee's domestic partner. Total gross income includes income from all sources, such as a second job, salary packaging benefits, short term higher duty payments and maintenance payments. For further information refer to DI2013-

The income threshold is increased by \$3,330 for each dependent child. This is shown in the table below.

Number of dependent children	Total gross income threshold
0	\$160,000
1	\$163,330
2	\$166,660
3	\$169,990
4	\$173,320
5 or more	\$176,650

Is your income above the total gross income threshold?

- If your answer is NO, you MAY be eligible for land rent. Go to question 2.
- If your answer is YES, you are NOT eligible for land rent.

## **Question 2: Do you already own property?**

If your answer is NO, you MAY be eligible for land rent. Go to question 3.

If your answer is YES, you are NOT eligible for land rent.

## **Question 3: Do you intend to rent out this land rent property, or reside in another property as your primary place of residence?**

If NO, and you have answered NO to all three questions, you may be eligible to access the land rent scheme.

If YES, you are not eligible for land rent.

# Land Rent Availability

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Only new land released by the Land Development Agency to the public is available to rent. The scheme is only available for single residential house blocks and not dual occupancy housing or units.

Land rent is also available on house and land packages offered on land already subject to a land rent lease. These are advertised in the usual real estate listings.

From 1 October 2013 land rent on blocks sold by the LDA is only available to people who meet the eligibility criteria. Land rent leases on blocks sold before 1 October 2013 will continue to be available for transfer to anyone.

# Applying for Land Rent

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## Before applying for land rent, you will need to:

1. attend a CIT information session
2. submit your Acknowledging Attendance statement to the Land Development Agency
3. provide the ACT Revenue Office with evidence of total gross household income for the previous year; if your income is below the relevant threshold amount, conditional approval to obtain a land rent block may be issued.

You can select your land rent block before or after attending the CIT course by:

- contacting the LDA to find out what blocks are available, and
- completing a land rent application form when you apply to take part in the sales event.

Once your application for land rent has been approved, you will be required to exchange contracts for your land rent block as required by the sales event you are participating in.

You will also be required to pay a non-refundable security payment to the LDA. The security payment is \$2,000.

Once you have settled on the land rent block, annual land rent payments to the ACT Revenue Office are required, and are based on the unimproved value of the block.

For land rent leases entered prior to 1 October 2013, the annual charge is based on either the standard rate or the discount rate. The standard rate is 4 per cent of the unimproved value unless you apply for, and are assessed as eligible for, the discount rate which is 2 per cent.

The land rent rate for land exchanged after 1 October 2013 is 2 per cent. The standard rate is not available for land rent lessees who enter the scheme after this time.

**To apply for the discount rate (only applicable to land exchanged before 1 October 2013), you will need to:**

- complete an 'Application for Discount - Land Rent' form which is available from the CIT course presenter or the ACT Revenue Office, and
- submit your application together with the required supporting documentation, **in person** to the ACT Revenue Office.

If you are approved as eligible for the discount rate of land rent, that rate will apply from the date of the grant of the land rent lease.

# Purchasing a Land Rent Block

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## Frequently Asked Questions

### **When can I purchase the land from the Government?**

You can choose to pay out the lease (purchase your block of land) at any point in time. You must lodge an application and pay a fee to the ACT Planning and Land Authority (ACTPLA) to pay out the land rent commitment from the Crown lease. The 2013-14 land rent payout fee is \$1,864.70.

For contracts exchanged with the LDA on or after 1 October 2013, you must continue to be eligible for the land rent scheme to remain in it. If your circumstances change and you exceed the income threshold amount for two consecutive years, become the owner of other real property and/or stop living on the parcel of land under the land rent lease, you will be asked to transition out of the land rent scheme over a two year period.

### **Will my land rent payments offset the cost of purchase?**

No. The land rent already paid will not be considered as payments towards the purchase of land. This is not a rent to buy scheme.

### **If I decide to purchase my Land Rent block in the future, what do I do?**

If you exchanged a land rent contract with the LDA before 1 October 2013, you may continue to participate in the land rent scheme for as long as it suits your personal circumstances. However, you can choose to purchase the land from the Government at any time.

You must make an application and pay a fee to ACTPLA if you wish to purchase the land. A statement from the ACT Revenue Office that rental payments and rates are up to date will need to be included with this application.

You can choose to pay either the **unimproved value** of the lease (as shown on your latest rates notice), or the **current market value** for the lease if you decide to purchase the land.

If you elect to pay the current market value, you will need to arrange for a valuation of the land by a registered valuer, at your own cost. The Authority will also arrange an independent valuation of the land (taking the application into account), and will



make a determination of the amount that must be paid. **You will be bound by this decision as to the final amount payable for the lease.**

**Can I pay the land off in installments?**

No, you cannot choose to pay off the land in installments.

**Do I ever have to purchase the land?**

For blocks exchanged with the LDA before 1 October 2013 you may continue to participate in the land rent scheme for as long as it suits your personal circumstances. There is no requirement to purchase the land.

For blocks exchanged with the LDA after 1 October 2013, if you fail to meet the eligibility criteria (by exceeding the income threshold for two consecutive years, owning other real property or failing to reside in the property on the leased land), you will be required to transition out of the land rent scheme. You must either purchase the land from the Government, or transfer the lease to another eligible applicant.

**Can I sell my house if I am participating in the land rent scheme?**

Yes. For contracts on blocks entered into with the LDA before 1 October 2013, the new owner may continue with the land rent arrangement, or alternatively the new owner can choose to purchase the land from the ACT Government.

For contracts on blocks exchanged with the LDA on or after 1 October 2013, the new owner must meet the eligibility criteria to be able to transfer the land rent lease.

# Paying your Land Rent

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Under the land rent scheme, households rent the land from the ACT Government.

They are required to:

- pay the Government rent, calculated on the unimproved value of the block of land, and
- construct a house on the rented land within two years of the lease being granted.

## Frequently asked questions

### How will my annual land rent be calculated?

Your annual land rent amount is calculated as a percentage of the unimproved value of the block of land. For land rent leases entered before 1 October 2013, there are two different rates available for land rent:

- a standard rate, calculated at 4% of the unimproved value of land, and
- a discounted rate, calculated at 2% of the unimproved value of land.

Example of how land rent is calculated:

Annual land rent payable on a block with an unimproved value of \$220,000

- **Standard Rate** -  $\$220,000 \times 4\% = \$8,800$  per annum (around \$170 per week).
- **Discounted Rate** -  $\$220,000 \times 2\% = \$4,400$  per annum (around \$85 per week).

Note: the repayments on the mortgage associated with the house will be in addition to the land rent payments.

Under the new scheme which applies to contracts exchanged with the LDA on or after 1 October 2013 the rate is 2% of the unimproved value of land. The standard rate is not available for land rent lessees who enter the scheme after this time.

## **Am I eligible for the discounted rate if I exchanged contracts prior to 1 October 2013?**

Only people who satisfy the strict eligibility criteria below will be able to access the **discounted** rate if contracts were exchanged prior to 1 October 2013.

The eligibility criteria are set out in the *Land Rent Act 2008*.

the total annual income of all lessees must be \$94,500 or under (this limit increases by \$3,330 for each dependent child up to a maximum of \$111,150 for five or more children);

- lessees cannot own any other property in any State or Territory in Australia; and
- at least one of the lessees must reside in the property once a home has been built and a Certificate of Occupancy has been issued.

**Please note** that the eligibility criteria for the discounted rate for land rent leases entered before 1 October 2013 will be updated in July each year. For the most up to date information on the criteria, please contact the [ACT Revenue Office](#).➤

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## **How much will my rent increase each year?**

Rent will increase in line with the increase in land values. However, to protect you from potentially large increases in rent, your annual rental increase will be capped at the growth of ACT Average Weekly Earnings (AWE).

For example:

On a \$220,000 block of land, the rent (at the 2 per cent rate) in the first year would be \$4,400. If the lessee was still eligible for the 2 per cent rate in the next year, the annual rent increase would only rise by around 5% (average growth in AWE ). Therefore, the rent due in that year would be around \$4,620.

## **Will I have to pay duty?**

You will be required to pay duty on the value of the land, either at the point of the agreement to grant the land rent lease; or if you are eligible for the Home Buyer

Concession Scheme or the First Home Owner Grant, duty may be deferred for a period of up to 5 years if the duty payable is \$1,000 or more.

Duty will not be payable a second time if you decide to purchase the land at a later stage, and have already paid duty when you first entered the land rent scheme.

### **Will I still be able to access the First Home Owner Grant and the Home Buyer Concession Scheme?**

You may be able to access the Home Buyer Concession Scheme or First Home Owner Grant if you meet the relevant eligibility criteria. For further details you should visit the [ACT Revenue Office](#) website.

### **Will I still have to pay rates on rented land?**

Yes. You will be liable for rates and other taxes and fees that relate to the land being rented.

### **What if I can't pay the land rent when it is due?**

You should contact the [ACT Revenue Office](#) immediately to discuss the situation and try to work on an alternative plan of payment.

# Land Rent Security Payment

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The ACT Government introduced a security payment for land rent blocks to discourage land speculation and make sure that land sold by the LDA in new releases goes to those people who are genuinely interested in building a home.

The payment helps to ensure that people accessing land under the land rent scheme are fully committed to building on their block and are aware of the financial implications associated with building a new home.

## Land Rent Security Payment Frequently Asked Questions

### **Do I need to make a payment upfront to enter the land rent scheme?**

Yes. The Government introduced a land rent security payment on 18 February 2013.

Under the old scheme, the amount of the security payment was \$10,000 for standard land rent lessees, and \$2,000 for lessees eligible for discounted land rent rate. In the new scheme it is \$2,000.

The security payment is not a deposit but security against the costs that are associated with holding and re-selling the block if the purchaser does not proceed with the contract.

Upon settlement, the security amount will be transferred to the ACT Revenue Office and credited against future land rent payable.

### **Why has the Government introduced a land rent security payment?**

The security payment has been introduced to discourage land speculation and make sure that land sold by the LDA goes to those people who are genuinely interested in building a home.

The security payment will assist in ensuring that people accessing land under the land rent scheme are committed to building on their block and are aware of the financial implications associated with building a new home.

**When will the security payment come into effect?**

The land rent security payment came into effect on 18 February 2013

**Is the security payment a deposit?**

No. The security payment protects the LDA in the event that a person enters into a contract for the purchase of land and, in breach of the contract, refuses to complete the purchase. The security payment will be retained by the LDA to offset the costs of holding and re-selling the land.

**What happens if I change my mind?**

The security payment is non-refundable if you have entered a contract to buy the land and later change your mind.

Should you terminate the contract without good reason, the security payment will be retained in full by the Territory and used to cover the costs of holding and re-selling the land.

**How much is the security payment?**

Before 1 October 2013, the security payment was \$10,000 per block under a land rent lease. If you were eligible for the discounted rate the LDA would waive 80 per cent of the security payment and you were only required to provide a security payment of \$2,000.

Under the retargeted scheme which applies to contracts exchanged with the LDA on or after 1 October 2013, the security payment is \$2,000.

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**What happens to the security payment after I settle?**

As a condition of sale, you authorise the LDA to apply the security payment to your land rent account for your block. The security payment will count towards the first year of land rent, meaning there will be no additional administrative hurdles or extra costs incurred by genuine purchasers.

**What happens to the payment if I later purchase (pay out) my land rent block?**

If, after settlement, you purchase (pay out) the land rent block and your land rent account is in credit, the amount in credit will be paid back to you by the ACT Revenue Office after the purchase has been finalised.

**What happens to the payment if I transfer my land rent block?**

If you transfer the land rent block and your land rent account is in credit, this would normally be taken into account as part of the settlement process, in the same way that rates payments are handled. If the buyer and seller do not make such an arrangement, the ACT Revenue Office can issue a refund if required.

**When is the payment due?**

The security payment is paid at the time you sign a contract for the block with the LDA.

**Can my security payment/land rent credit be considered as security/collateral when applying for a mortgage to build on my land rent block?**

This is a matter between you and your lender, however, your lender is unlikely to treat the security payment as security in respect of a mortgage.

**Can I choose to have the security payment refunded after settlement rather than transferred to my land rent account with the ACT Revenue Office?**

No.

**Is a security payment required if I'm purchasing a land rent home off a private owner or as a house and land package?**

No, because the lease will have been granted.

The security payment remains with the LDA until the block has settled. It is then transferred to the ACT Revenue Office and credited towards the first year's land rent payment.

You should ensure that any land rent credit is taken into account during negotiations for the purchase.

## Available Finance

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The following financial institutions are offering finance to approved applicants for the construction of homes on land rent blocks:

- Beyond Bank Australia  
For more information, or to apply for a loan please call, 13 25 85 or email:  
<http://www.beyondbank.com.au/personal-banking/home-loans/land-rent-scheme.html>
- bankmecu For more information, or to apply for a loan please call (02) 6120 5704  
or email: Bankmecu
- Police Bank  
For more information, or to apply for a loan please call (02) 6206 7000 or email:  
Police Bank

## CIT Information Sessions

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To make a booking or for further information on the information sessions:

- Email: Canberra Institute of Technology or Phone: (02) 6207 3188 (+61 International)



**Kilkelly, Emma**

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**From:** Mehrton, Andrew  
**Sent:** Friday, 27 September 2013 1:55 PM  
**To:** Kilkelly, Emma  
**Subject:** RE: Land Rent changes for website

Thanks, Emma.

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**From:** Kilkelly, Emma  
**Sent:** Friday, 27 September 2013 1:50 PM  
**To:** Mehrton, Andrew  
**Subject:** FW: Land Rent changes for website

Hi Andrew – in Kathy's absence, please see attached input for the land rent website. We may need to have a further think about the use of 'old' and 'new' scheme, as people using the website can view individual information pages; without proper context and understanding, this may be unclear.  
Cheers, Emma.

**Kilkelly, Emma**

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**From:** Redden, Sarah  
**Sent:** Tuesday, 1 October 2013 11:28 AM  
**To:** Monger, Brett; Marina, Angel; Aquilina, Lindsay; Tonna, Joseph; Lim, Phang-Chun  
**Cc:** Kilkelly, Emma; Losanno, Marisa; Bennett, Jason; Westcott, Natasha; Cain, Peter  
**Subject:** Land Rent Act - Update

Hi all,

Please be aware that the *Land Rent Act 2008* has been republished today to incorporate the substantial amendments introduced by the Land Rent Amendment Bill 2013.

The latest version of the Act can be found at: <http://www.legislation.act.gov.au/a/2008-16/default.asp>

Kind regards,

Sarah Redden

A/g Assistant Manager | Policy, Legislation and Objections  
Revenue Management Division | **Directorate of Commerce and Works** | **ACT Government**  
**Email:** [sarah.redden@act.gov.au](mailto:sarah.redden@act.gov.au) | **Ph:** (02) 6205 5419

[www.revenue.act.gov.au](http://www.revenue.act.gov.au)  
PO Box 293, Civic Square ACT 2608

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**Kilkelly, Emma**

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**From:** Bennett, Jason  
**Sent:** Tuesday, 1 October 2013 5:03 PM  
**To:** Aquilina, Lindsay; Marina, Angel; Monger, Brett; Redden, Sarah; Kilkelly, Emma; Manthongsy, Vone; Losanno, Marisa  
**Cc:** Armstrong, Graham; Butt, Khurram  
**Subject:** Land Rent Dis 1/10/2013

Hi all,

The new Land Rent Disallowable Instruments have now been notified.

**Land Rent (Total income of lessee—post-1 October 2013 leases) Determination 2013 (No 1) DI2013-246**

This is a new instrument that determines how income will be calculated for land rent leases dated on, or after 1 October 2013.

<http://www.legislation.act.gov.au/di/2013-246/default.asp>

**Taxation Administration (amounts payable—Land Rent) Determination 2013 (No 2) DI2013-245**

This instrument provides an income threshold for existing leases and leases made on, or after 1 October 2013. DI2013-179 is repealed by this instrument.

<http://www.legislation.act.gov.au/di/2013-245/default.asp>

Vone if you could arrange for the necessary changes to be made to the website that would be fantastic.

Kind regards

Jason Bennett

Policy Officer | Policy, Legislation and Objections  
Revenue Management Division | Directorate of Commerce and Works | ACT Government  
Email: [jason.bennett@act.gov.au](mailto:jason.bennett@act.gov.au) | Ph: (02) 6207 9147

[www.revenue.act.gov.au](http://www.revenue.act.gov.au)  
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**Kilkelly, Emma**

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**From:** Forner, Julia  
**Sent:** Wednesday, 9 October 2013 9:52 AM  
**To:** Goth, Kathy; Kilkelly, Emma  
**Cc:** Mehrton, Andrew; Cornell, Tim; De Rose, Jerome  
**Subject:** RE: Online enquiry Question -DRAFT RESPONSE

Good morning Kathy

please find below my suggested changes.

happy to discuss.  
regards  
Julia

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**From:** Goth, Kathy  
**Sent:** Tuesday, 8 October 2013 2:50 PM  
**To:** Forner, Julia; Kilkelly, Emma  
**Cc:** Mehrton, Andrew; Cornell, Tim; De Rose, Jerome  
**Subject:** FW: Online enquiry Question -DRAFT RESPONSE

Hi All

Please see a draft response to an email enquiry about attending the CIT land rent sessions. Could you please provide comment/ input as we will use this as standard text to go onto the website and other land rent material.

Dear **Exempt s41**

If you are considering purchasing a land rent block that is currently on the market then you need to attend a CIT land rent session. The sessions currently on offer provide information about the original land rent scheme which applies to land sold by the LDA before 1 October 2013 including land purchased from a third party who originally purchased from the LDA. Please call the CIT on **6207 3188** to book a session.

If you are considering acquiring a land rent block on land that will be sold by the LDA in the future, then the new land rent scheme will apply including eligibility requirements. **Exempt s36** CIT will offer information courses on the new scheme from early 2014.

Regards

**Kathy Goth**  
**Senior Manager**  
**Economic Development Policy**  
**Ministerial Cabinet and Policy Division**  
**(Mon - Thurs)**

**02 6207 8891**

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**From:** Mehrton, Andrew  
**Sent:** Tuesday, 8 October 2013 1:05 PM  
**To:** Goth, Kathy  
**Subject:** FW: Online enquiry Question

FYI, yet another...

**Exempt s41**

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**From:**  
**Sent:** Tuesday, 8 October 2013 1:04 PM  
**To:** EDD, Affordable Housing  
**Subject:** Online enquiry Question

Please find online enquiry details below. Please ensure this enquiry is responded to within two working days as advised to our clients on our website email confirmation.

**Form Information**

Site Name	Economic Development
Site Id	132536
Page Standard Name	Affordable Housing
Page Standard Id	134772
Page Custom Form Name	Contact Affordable Housing

Page Custom Form Id 138311  
Url [http://www.economicdevelopment.act.gov.au/affordable\\_housing/contact\\_affordable\\_housing](http://www.economicdevelopment.act.gov.au/affordable_housing/contact_affordable_housing)  
Submission Id 500471  
Time of Submission 08 Oct 2013 1:04 pm  
Submission IP Address 127.0.0.3

**Your details**

- Title:
- First Name\*:
- Last Name\*:
- Address\*:
- Email address\*:

- Suburb: Mawson
- Post Code: 2607
- State: ACT
- Country: Australia
- Phone:

Exempt s41

Exempt s41

**Step 1**

- Select the type of information you wish to provide: Question

**Step 2**

• Your comments:

hi there, I have contacted CIT on today regarding attendance of information session. CIT informed me that I have to purchase/rent the land first then I will be eligible to attend the session. Can you please clarify this? Thanks,

Exempt s41

Thank you.

EDD Website



**Kilkelly, Emma**

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**From:** Goth, Kathy  
**Sent:** Wednesday, 9 October 2013 12:00 PM  
**To:** Bartell, Joanne; De Rose, Jerome; Hiscock, Bettina  
**Cc:** Mehrton, Andrew; Forner, Julia; Kilkelly, Emma  
**Subject:** FW: Online enquiry Question -DRAFT RESPONSE

Hi All

Please find the response for CIT staff to "screen" applicants for the land rent sessions. Let me know if any comments or concerns.

Is it possible to start taking names of people interested in next years course?

If you are considering purchasing a land rent block that is currently on the market, then you need to attend a CIT land rent information session. The CIT sessions currently on offer provide information about the original land rent scheme which applies **to land sold by the LDA before 1 October 2013**, including land purchased from a third party who originally purchased from the LDA. Please call the CIT on 6207 3188 to book a session.

If you are considering purchasing a land rent block that will be **sold by the LDA after 1 October 2013** then the new land rent scheme will apply which includes eligibility requirements. More details are on the EDD housing affordability website .  
[http://www.economicdevelopment.act.gov.au/affordable\\_housing/land\\_rent/land\\_rent\\_eligibility](http://www.economicdevelopment.act.gov.au/affordable_housing/land_rent/land_rent_eligibility)

The next LDA land release is scheduled for the first half of 2014 and you can find out more about this process from the LDA website  
<http://www.lda.act.gov.au/?/home/residential/landsales>.

CIT will offer information courses on the new scheme from early 2014. You can register your interest with the CIT by ....

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**From:** Forner, Julia  
**Sent:** Wednesday, 9 October 2013 9:52 AM  
**To:** Goth, Kathy; Kilkelly, Emma  
**Cc:** Mehrton, Andrew; Cornell, Tim; De Rose, Jerome  
**Subject:** RE: Online enquiry Question -DRAFT RESPONSE

Good morning Kathy

**Kilkelly, Emma**

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**From:** Goth, Kathy  
**Sent:** Thursday, 10 October 2013 3:41 PM  
**To:** Bennett, Jason  
**Cc:** Forner, Julia; Mehrton, Andrew; Kilkelly, Emma  
**Subject:** RE: Land Rent changes

Hi Jason

EDD administers the land rent CIT information sessions. The information sessions on the "old" scheme will continue to be run in October and then be offered on-line. There will continue to be an ongoing demand for these sessions as people purchase house and land packages on land rent blocks that were taken by developers.

We will also work with CIT to develop a course for the new scheme which will be offered in early 2014 to coincide with LDA land release in the first half of 2014.

LDA are also making some changes to their sales documents and processes which you should be aware of. I'll ask Julia Forner to provide you with a summary and indicative timeframes for that work.

This is my last day in this role, for any future EDD queries could you please contact Andrew Mehrton?

Regards

**Kathy Goth**  
**Senior Manager**  
**Economic Development Policy**  
**Ministerial Cabinet and Policy Division**  
**(Mon - Thurs)**

**02 6207 8891**

---

**From:** Bennett, Jason  
**Sent:** Thursday, 3 October 2013 3:27 PM  
**To:** Goth, Kathy  
**Subject:** Land Rent changes

Hi Kathy,

I have been asked to provide a broad timeline of changes being made across all line areas due to the recent land rent Bill and was wondering if EDD has, or is implementing any changes

Any assistance in this matter would be great.

Kind Regards

Jason Bennett

Policy Officer | Policy, Legislation and Objections  
Revenue Management Division | **Directorate of Commerce and Works | ACT Government**  
Email: [jason.bennett@act.gov.au](mailto:jason.bennett@act.gov.au) | Ph: (02) 6207 9147

[www.revenue.act.gov.au](http://www.revenue.act.gov.au)

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