

Australian Capital Territory

Land (Planning and Environment) - Consent to Transfer Land 2003

Disallowable instrument DI2003—249

made under the

Land (Planning and Environment) Act 1991, s180(3) (Transfer of land subject to building and development provision)

Pursuant to subsection 180(3) of the *Land (Planning and Environment) Act 1991* ("Land Act") I REVOKE Disallowable Instrument No 1 of 2003 and DETERMINE that the following matters are to be taken into consideration by the Planning and Land Authority in deciding whether to consent to an assignment or transfer of a lease ("the lease"):

- (a) any expression of intention (including any expression of intention in a Statutory Declaration) by the proposed assignee or transferee of the lease relevant to future compliance with the building and development provision of the lease by the proposed assignee or transferee; and
- (b) the financial circumstances of the proposed assignee or transferee of the lease which are relevant to the capacity and ability of the proposed assignee or transferee to comply with the building and development provision of the lease; and
- (c) any formal approval of a loan for the purpose of or associated with compliance with the building and development provision of the lease by the proposed assignee or transferee of the lease; and

- (d) any contract entered into by the proposed assignee or transferee of the lease for the purpose of, or associated with, the construction of a building in compliance with the building and development provision of the lease; and
- (e) any previous transfer of a Crown lease pursuant to consent under section 180(3) of the Land Act to the proposed assignee or transferee of the lease; and
- (f) any previous transfer of a Crown lease pursuant to consent under section 180(3) of the Land Act by the proposed assignee or transferee of the lease; and
- (g) the date of the application for consent to transfer the lease and the times within which the building and development provision of the lease are to be satisfied.

In this instrument, “building and development provision” has the same meaning as in the *Land (Planning and Environment) Act 1991*.

Simon Corbell MLA
Minister for Planning

14 August 2003