

Land (Planning and Environment) Criteria for Direct Grant of a Lease (Single Residence Leases) Determination 2007 (No 1)

Disallowable instrument DI2007- 288

made under the

Land (Planning and Environment) Act 1991 section 161 (Granting of leases)

1. Name of Instrument

This Instrument is the *Land (Planning and Environment) Criteria for Direct Grant of a Lease (Single Residence Leases) Determination 2007 (No 1)*.

2. Commencement

This Instrument commences on the day after notification.

3. Interpretation

In this Instrument:

“Act” means *Land (Planning and Environment) Act 1991*

“Authority” means the ACT Planning and Land Authority

“Instrument” means this Disallowable Instrument

“Lease” includes the right to the grant of a lease of land under the Act

“Market Value” has the meaning specified in section 159 of the Act

“Nominal Rent Lease” has the meaning specified in section 159 of the Act

“Rental Lease” has the meaning specified in section 159 of the Act

“Single Residence Lease” means a lease of land for single dwelling housing (as defined in the Territory Plan) and is either a Nominal Rent Lease or a Rental Lease

“Territory” means the body politic established by section 7 of the *Australian Capital Territory (Self-Government) Act 1988 (Cwlth)*.

4. Criteria

- (1) The Authority may:
 - (a) identify Single Residence Leases available for direct grant; and
 - (b) specify the class of persons who are eligible or ineligible for the direct grant of a Single Residence Lease identified under 1(a).
- (2) A person who is eligible for the direct grant of a Single Residence Lease must:
 - (a) complete and sign an application for the Single Residence Lease in the form required by the Authority; and
 - (b) pay any applicable fees and charges notified by the Authority.

- (3) The applicant must pay either:
- (a) Market value for a Nominal Rent Lease; or
 - (b) Rent as determined by the Territory for a Rental Lease .
- (4) The applicant must:
- (a) satisfy the Authority that the applicant is eligible for a direct grant of a Single Residential Lease in accordance with this instrument;
 - (b) agree to any conditions of sale required by the Authority and any conditions relating to the development of a Single Residential Lease; and
 - (c) accept and sign the form of Lease approved by the Authority.

This Instrument does not affect the operation of any other Instrument made under section 161(7) of the Act.

Jon Stanhope
Chief Minister

14 November 2007

Andrew Barr
Minister for Planning

14 November 2007