

EXPLANATORY MEMORANDUM

DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 161(5)

LAND (PLANNING AND ENVIRONMENT) ACT 1991

NO. 175 OF 1993

The Land (Planning and Environment) Act 1991 (the Land Act) establishes a regime which provides for planning, heritage, environmental and land matters in respect of Territory Land.

The Land Act provides for the grant of a lease of Territory Land by auction, tender, ballot or direct grant. Where a lease is granted by way of direct grant, it cannot be granted otherwise than in accordance with criteria that are specified in a disallowable instrument.

This disallowable instrument made under subsection 161(5) establishes criteria in accordance with subsection 161(4) for the direct sale of land, limited by strata, for the purposes of public pedestrian access over or under unleased Territory Land including a public road.

The disallowable instrument provides that the applicant must:

- . make an application for the lease;
- . be the lessee of one of the adjoining parcels;
- . agree to comply with the terms and conditions of the proposed lease;
- . pay all applicable fees and charges.