

EXPLANATORY MEMORANDUM

**DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 161(5)**

LAND (PLANNING AND ENVIRONMENT) ACT 1991

DETERMINATION NO. (27) OF 1992

This disallowable instrument made under subsection 161(5) of the Land (Planning and Environment) Act 1991 establishes criteria for the direct grant of leases over individual blocks of land within Private Enterprise Land Development Estates following the surrender of a Holding Lease.

The disallowable instrument provides that the applicant must:

- . be the lessee of the Holding Lease or a person nominated by that lessee;
- . accept responsibility for the provision and maintenance of all works required for the development of each block;
- . where not the lessee of the holding lease, demonstrate the capacity to satisfy the development covenants;
- . pay all applicable fees and charges.

Prior to leases being granted over individual blocks, the developer of the Holding Lease must:

- . have submitted for approval development conditions and survey plans relating to the land ; and
- . have been issued a Certificate of Practical Completion.