

EXPLANATORY MEMORANDUM

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

LAND (PLANNING AND ENVIRONMENT) ACT 1991

~~DETERMINATION~~ NO. (3) OF 1992

This disallowable instrument made under subsection 161(5) of the Land (Planning and Environment) Act 1991 establishes criteria in accordance with subsection 161(4) for the direct sale of land to an incorporated national or local association for the grant of a commercial lease at current market value.

The disallowable instrument provides that the applicant must:

- . complete an application for the lease;
- . be incorporated and be a non-profit organisation;
- . be the proposed lessee or demonstrate a legal nexus with the proposed lessee;
- . demonstrate the financial and non-financial capacity to develop and manage the land to the satisfaction the Territory;
- . accept that a minimum area of the building will be occupied by the association;
- . if a National Association, represent the National body of the organisation;
- . if a Local Association, represent organisations or people living or working in the Territory;
- . provide details of the development proposal;
- . provide any Bank Undertaking required by the Territory;
and
- . pay all applicable fees and charges.