

AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991
EXPLANATORY STATEMENT

Criteria For The Direct Grant Of Crown Leases 2002 (No 1)

Disallowable instrument DI2002—218

made under the

Land (Planning and Environment) Act 1991, s 161(7)

The Land (Planning and Environment) Act 1991 (ACT) ('the Act') provides for planning, heritage, environmental and leasing matters in respect of Territory Land.

The Act enables Territory Land to be granted by auction, tender, ballot or direct grant. A direct grant must be in accordance with criteria that are specified in a disallowable instrument.

The Disallowable Instrument made under subsection 161(7) establishes criteria in accordance with subsection 161(6) for the direct grant of a Crown lease for residential purposes after a ballot.

For the purpose of the Instrument 'ballot' means a ballot conducted pursuant to the provisions of subsection 161(1) of the Act.

The Disallowable Instrument provides for the following criteria:

1. The lease is not sold at the ballot or, having been sold, any contract entered into is rescinded or otherwise terminated prior to completion.
2. The applicant must:
 - (a) complete and sign an application for the lease in the required form giving details of:
 - full name of proposed lessee(s);
 - type of co-ownership (if applicable), stating shares to be held by each proposed lessee (if applicable);
 - address for the services of notices;
 - block, section and division details of the relevant land; and

- proof of company particulars (ie details of directors, share etc., if applicable);
 - (b) pay the market value for the lease as specified in the conditions of ballot;
 - (c) agree to any Conditions of Sale required by the Territory and relating to the development of the lease;
 - (d) pay any applicable fees and charges notified by the Minister;
3. The lease may only be granted to the first applicant able to satisfy the criteria in this Instrument.