

AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991
EXPLANATORY MEMORANDUM
DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION
161(5)

INSTRUMENT NO. 211 OF 2001

The Land (Planning and Environment) 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(5) establishes criteria in accordance with subsection 161(1)(d) for the direct grant of a Crown lease to organisation, company or other entity for the purposes of older persons accommodation.

The Disallowable Instrument provides, inter alia, that the applicant must;

1. Be an entity that provides older persons accommodation
- 2. Have the financial capacity to undertake the proposed use of the land**
3. Have the support of Government agencies
4. Be able to develop, have the expertise, manage, and undertake the proposed use of the land.
5. Demonstrate how the land will be owned and managed to ensure that it meets and will continue to meet the needs of older persons in the Territory