

AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR DIRECT LEASE
GRANTS (COMMISSIONER FOR HOUSING) DETERMINATION 2003

DISALLOWABLE INSTRUMENT DI2003 - 197

EXPLANATORY STATEMENT

This disallowable instrument is being redetermined as a result of the *Planning and Land (Consequential Amendments) Act 2002* which transfers certain powers from the Minister/Executive to the Planning and Land Authority.

This disallowable instrument made under subsection 161(7) of the *Land (Planning and Environment) Act 1991* establishes criteria in accordance with subsection 161(4) for the direct sale of leases to the Commissioner for Housing for the Australian Capital Territory for land which is to be or is already occupied by the Trust in accordance with the Housing Assistance Act 1987.

The disallowable instrument provides that the Commissioner for Housing must:

- either require new sites for residential purposes, or have occupied the land placed under the control of the Commissioner for Housing by instrument under sections 16 and 17 of the Housing Assistance Act 1987;
- apply to the Planning and Land Authority giving details of location(s) and purpose;
- pay the current market value for new sites;
- agree to comply with the terms and conditions of the proposed lease; and
- pay all applicable fees and charges.