

AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

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

DISALLOWABLE INSTRUMENT DI2003 - 203

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 at market value (reserve price) of commercial land which has been offered at auction and 'passed in', or purchased from the Territory and later surrendered back to the Territory undeveloped.

The disallowable instrument provides that the applicant must:

- complete and sign an application for the lease;
- pay the market value for the land (capital sum or land rent as applicable);
- agree to any Conditions of Sale and Deed of Agreement required by the Planning and Land Authority;
- agree to provide any Bank Undertaking as required by the Planning and Land Authority; and
- pay all applicable fees and charges.

The disallowable instrument also provides that the lease may not be granted other than to the first applicant able to satisfy the criteria of the disallowable instrument, and that the land must not have been rescheduled for future auction.