

AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR DIRECT LEASE
GRANTS (PUBLIC PEDESTRIAN ACCESS) DETERMINATION 2003

DISALLOWABLE INSTRUMENT DI2003-213

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 .

The *Land (Planning and Environment) Act 1991* (the Land Act) establishes a regime which provides for planning, heritage, environmental and land matters in respect of Territory Land.

The Land Act enables Territory Land to be granted by auction, tender ballot or direct grant. Where a lease is granted by way of direct grant, it cannot be granted otherwise than in accordance with criteria that are specified in disallowable instrument.

This disallowable instrument made under subsection 161(7) establishes criteria in accordance with subsection 161(4) for the direct sale of land, limited by strata, for the purposes of public pedestrian access over or under unleased Territory Land including a public road.

The disallowable instrument provides that the applicant must:

- make an application for the lease;
- be the adjoining lessee of one of the adjoining parcels;
- agree to comply with the terms and conditions of the proposed lease;
- pay all applicable fees and charges.