

AUSTRALIAN CAPITAL TERRITORY

*LAND (PLANNING AND ENVIRONMENT) ACT 1991*

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

DISALLOWABLE INSTRUMENT DI2003-222

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 a disallowable instrument.

This disallowable instrument, made under subsection 161 (7), establishes criteria in accordance with subsection 161 (4) for the direct grant of leases under section 161 (1) (d) to educational institutions including universities, Institutes and colleges for land which is to be or is already occupied by these bodies.

The disallowable instrument provides that the applicant must:

- be a University, Institution or College established under a law of the Commonwealth or Territory;
- supply information required about the grant of the proposed lease or development of the site. For example: complete and sign an application for the lease; provide information indicative of the applicants financial capacity to undertake any proposed development.
- must pay the amount specified in writing to the Planning and Land Authority for the lease and any other administrative fees and charges imposed;