

AUSTRALIAN CAPITAL TERRITORY

*LAND (PLANNING AND ENVIRONMENT) ACT 1991*

LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR DIRECT LEASE GRANTS (COMMUNITY ORGANISATIONS) DETERMINATION 2003 (No. 2)

DISALLOWABLE INSTRUMENT DI2003-233

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) 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 163(4) establishes criteria in accordance with subsection 163(3) for the direct grant of a Crown lease to community organisations.

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

1. Demonstrate that it is a 'Community Organisation' as defined in section 163 of the Act.
2. Demonstrate to the Planning and Land Authority its financial and non-financial capacity to develop and manage the land, including details of expertise, resources and experience to undertake the proposal.
3. Have the support of the relevant government agencies.
4. Demonstrate the use of the land will provide a service that meets the on-going social, intellectual, health, spiritual, recreational, welfare or religious needs of people living in the Territory.