

**AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991**

**EXPLANATORY MEMORANDUM
DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 161(5)**

INSTRUMENT NO. 196 OF 1998

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(5) establishes criteria in accordance with subsection 161(4) for the direct grant of a Crown lease for Block 13 Paddys River.

The disallowable instrument provides that the applicant must:

- use the land for a specified purpose;
- be Dr. L. and Mrs J. Shanahan;
- accept that the grant of a lease and the conditions contained therein, is in full settlement of a dispute between the Lessee and the ACT Government;
- comply with the requirements of Environment ACT in respect to the management and care of the land;
- pay such administrative fees and charges that may be specified.