

AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991

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

INSTRUMENT NO. 11 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 4 and Part Block 6 Section 83 Nicholls.

The disallowable instrument provides that the applicant must:

- use the land for a specified purpose;
- be the lessee of Block 3 Section 83 Nicholls;
- supply information required about the grant of the proposed lease or development of the site. This would include completing and signing an application form and providing information of their financial and non-financial capacity to undertake the development;
- pay the market value for the lease and such administrative fees and charges that may be specified.