

EXPLANATORY MEMORANDUM

DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF SUBSECTION 161(5)

LAND (PLANNING AND ENVIRONMENT) ACT 1991

NO. 154 OF 1994

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(5) establishes criteria in accordance with subsection 161(4) for the direct sale of Block 11 Section 40 Yarralumla, for the purposes of a porte cochere.

The disallowable instrument provides that the applicant must:

- . make an application for the lease;
- . be the lessee of Block 1 Section 40 Yarralumla;
- . pay for the lease; and
- . pay all applicable fees and charges.