

**EXPLANATORY MEMORANDUM**

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

**LAND (PLANNING AND ENVIRONMENT) ACT 1991**

**NO. (10) OF 1993**

This disallowable instrument made under subsection 161(5) of the Land (Planning and Environment) Act 1991 establishes criteria in accordance with subsection 161(4) for the direct sale of land for the purposes of aged persons accommodation.

The disallowable instrument provides that the applicant must:

- . complete necessary application forms;
- . be an incorporated community organisation or be an incorporated entity associated with an incorporated community organisation;
- . provide proof of incorporation and a copy of the Memorandum, Articles of Association, Rules or Constitution of the community organisation and (if different) the applicant;
- . provide full company particulars of the community organisation and (if different) of the applicant;
- . satisfy the Territory of the nature and extent of the association between the applicant and the community organisation;
- . satisfy the Territory that title to the accommodation will be transferred to the community organisation and/or the Commissioner for Housing within twelve months after the date of completion of construction of that accommodation;
- . provide details of the development proposal;
- . demonstrate financial and non-financial capacity and expertise to develop and manage the land;
- . demonstrate the long term economic viability of the proposed development;
- . pay the current market value for the lease;
- . provide any Bank Undertaking required by the Territory;
- . pay all applicable fees and charges;