

EXPLANATORY MEMORANDUM

DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 163(4)

LAND (PLANNING AND ENVIRONMENT) ACT 1991

DETERMINATION NO. (22) OF 1992

This disallowable instrument made under subsection 163(4) of the Land (Planning and Environment) Act 1991 establishes criteria in accordance with subsection 163(3) for the direct sale of land to an incorporated community organisation without charge or for a charge at less than market value.

The disallowable instrument provides that non-profit organisations may apply to occupy Territory-owned improvements or to lease land for development.

The disallowable instrument also provides that the applicant must:

- . be an incorporated, non-profit organisation and not hold a Club Licence under the Liquor Act 1975;
- . complete an application for the lease;
- . must be the proposed lessee or demonstrate a legal nexus with the proposed lessee;
- . demonstrate the financial and non-financial capacity to develop and manage the land except where occupying Territory-owned improvements;
- . if occupying Territory-owned improvements, demonstrate financial and non-financial capacity to manage and maintain the lease;
- . have the support of the relevant Government agency and the governing body of the applicant;
- . pay for the lease in accordance with approved policy;
- . provide any Bank Undertaking required by the Territory;
- . if proposing to establish a school, be a registered school under the Education Act 1937;
- . if proposing to establish aged persons' accommodation, be an approved benevolent organisation by the relevant Government agency and provide details of the type of aged care proposed; and
- . pay all applicable fees and charges.