

Australian Capital Territory

Land (Planning and Environment) Criteria for Direct Grant of a Lease (Single Residence Lease) Determination 2007 (No 1)

Disallowable Instrument DI2007–288

made under the

Land (Planning and Environment) Act 1991 Section 161(7)

EXPLANATORY STATEMENT

This statement is in respect of the *Land (Planning and Environment) Criteria for the Direct Grant of a Lease (Single Residence Lease) Determination 2007 No 1*.

Subsection 161(1)(d) of the Land (Planning and Environment) Act 1991 (Act) provides for the granting of leases by direct grant, and subsection 161(6) provides that such a direct grant must not be made otherwise than in accordance with criteria specified in a disallowable instrument made under subsection 161(7) of the Act.

In accordance with subsection 161(7) of the Act, this disallowable instrument establishes criteria for the direct grant of a residential lease for the purpose of a single dwelling. The criteria are that the applicant must pay market value in respect of a nominal rent lease, or, rent as determined by the Territory in respect of a rental lease. In addition the applicant must satisfy the ACT Planning and Land Authority that they are eligible for a direct grant under the Instrument and agree to any sale or development conditions.

The general effect of the Instrument will be to allow the Territory to sell single dwelling residential blocks to individual applicants ‘over the counter’, consistent with general market practice, and where considered appropriate, allow the class of persons able to apply to be restricted.