

AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR DIRECT LEASE
GRANTS (NATIONAL AND LOCAL ASSOCIATIONS) DETERMINATION 2003

DISALLOWABLE INSTRUMENT DI2003 - 201

EXPLANATORY STATEMENT

This disallowable instrument is being redetermined as a result of the *Planning and Land (Consequential Amendments) Act 2002* which transfers certain powers from the Minister/Executive to the Planning and Land Authority.

This disallowable instrument made under subsection 161(7) of the *Land (Planning and Environment) Act 1991* establishes criteria in accordance with subsection 161(4) for the direct sale of land to an incorporated national or local association for the grant of a commercial lease at current market value.

The disallowable instrument provides that the applicant must:

- complete an application for the lease;
- be incorporated and be a non-profit organisation;
- 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 to the satisfaction of the Planning and Land Authority;
- accept that a minimum area of the building will be occupied by the association;
- if a National Association, represent the National body of the organisation;
- if a Local Association, represent organisations or people living or working in the Territory;
- provide details of the development proposal;
- provide any Bank Undertaking required by the Planning and Land Authority; and
- pay all applicable fees and charges.