

EXPLANATORY MEMORANDUM
DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SUBSECTION 161(5)
AUSTRALIAN CAPITAL TERRITORY
LAND (PLANNING AND ENVIRONMENT) ACT 1991
INSTRUMENT NO. 12 OF 1998

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 a disallowable instrument

This disallowable instrument, made under subsection 161 (5), establishes criteria in accordance with subsection 161 (4) for the direct grant of leases under section 161 (1) (d) to educational institutions including universities, Institutes and colleges for land which is to be or is already occupied by these bodies.

The disallowable instrument provides that the applicant must

- be a University, Institution or College established under a law of the Commonwealth or Territory;
- supply information required about the grant of the proposed lease or development of the site. For example: complete and sign an application for the lease; provide information indicative of the applicants financial capacity to undertake any proposed development.
- must pay the amount specified in writing to the Minister for the lease and any other administrative fees and charges imposed;