

Australian Capital Territory

Land (Planning and Environment) Approved Form of Land Management Agreement 2006

Approved Form AF2006 – 227

Disallowable Instrument DI2006 - 183

made under the

Land (Planning and Environment) Act 1991 section 287A(1) (Approved Forms)

EXPLANATORY STATEMENT

Outline

In accordance with section 186C of the *Land (Planning and Environment) Act 1991*, Disallowable Instrument DI 2003 – 253 determines the land management requirements for managing rural and non-urban land within the Australian Capital Territory. Amongst other issues, the aforementioned Disallowable Instrument provides the basis for a co-operative land management regime between the rural Lessees of land in the Australian Capital Territory and ACT Government agencies responsible for managing rural and non-urban land for the Territory on behalf of the Commonwealth.

This disallowable instrument revokes the above determinations.

Land Management Agreement

The Land Management Agreement has been amended by incorporating two new provisions, Contaminated Sites and Water Resource Management, to establish appropriate management practices for the rural Lessees.

The inclusion of Contaminated Sites at 3.4.2 in the Land Management Agreement will minimise the impact of contaminated sites on rural properties. Contaminated sites are a major problem facing rural land management. A contaminated site has the potential to impact on the productivity of the property, as well as creating land management and water quality issues elsewhere in the catchment.

The inclusion of Water Resource Management at 3.4.3 in the Land Management Agreement is not intended to remove the rights of the rural lessees to access water but to ensure that the access to the water does not impact on the quality of water leaving the property. All water use from Territory water bodies including streams, dams or groundwater is controlled by the *Water Resources Act 1998*.

The Land Management Agreement has also taken into consideration changes made to the *Heritage Act 2004*, the *Pest Plants and Animals Act 2005* and the *Emergencies Act 2004* which impact on the requirements of the Land Management Agreement.

With the introduction of the *Heritage Act 2004*, provision 3.3.1 – Sites of Heritage Significance has been updated to reflect that ACT Heritage Places are now protected under this Act instead of the *Land (Planning and Environment) Act 1991*.

With the introduction of the *Pest Plants and Animals Act 2005*, provision 3.4.7 - Pest Plants and Animals is now administered by this Act instead of the *Land (Planning and Environment) Act 1991*, which necessitated attendant amendments to provision 3.4.7.

With the introduction of the *Emergencies Act 2004*, provision 3.4.8 - Bushfire Risk Management has been updated to reflect that this Act has replaced the *Bushfire Act 1936*.

The remainder of the Land Management Agreement remains unchanged from the previous Disallowable Instrument.