

2003

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**LAND (PLANNING AND ENVIRONMENT) CRITERIA FOR THE DIRECT GRANT
OF RURAL CROWN LEASES 2003**

DI2003-88

**DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF
SECTION 161(7)**

EXPLANATORY STATEMENT

Circulated by Authority of
Simon Corbell MLA

Outline

In accordance with subsection 161(7) of the *Land (Planning and Environment) Act 1991*, Disallowable Instrument DI 1999 - 269 determines the criteria subject to which the Executive may approve the direct grant of leases for rural purposes.

This disallowable instrument revokes DI 1999 - 269.

Two changes are being made to the criteria for direct grant of land for rural purposes.

1. The criterion related to direct grant of land for rural purposes has been amended to allow for the inclusion of land that is public land as defined in the Territory Plan.

Section 209 of the Land Act provides that, on the written recommendation of the Conservator, the Executive may, on behalf of the Commonwealth, grant a lease over an area of public land except where it is reserved as a wilderness area. Public land is already included in a number of rural leases. Environment ACT has identified additional areas of public land for inclusion in leases as an appropriate land management response.

2. The criterion has also been amended to reflect the requirement for a written recommendation from the Conservator of Flora and Fauna in relation to public land.

The Conservator has agreed to amendment of the criterion on the condition that no area of public land is included in a lease without the recommendation of the Conservator, and that the grant is subject to any conditions as required by the Conservator. Protection and management of public land under lease is also addressed in the requirements for Land Management Agreements and provisions in the Land Act.

All other criteria remain the same.