

2003

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) AMENDMENT REGULATIONS 2003 (No 1)

Subordinate Law No SL 2003-35

EXPLANATORY STATEMENT

Circulated by Authority of
Simon Corbell MLA
Minister for Planning

BACKGROUND

The *Land (Planning and Environment) Amendment Regulations 2003* (the amending regulations) are made under the *Land (Planning and Environment) Act 1991* (the *Land Act*). They amend the *Land (Planning and Environment) Regulations 1992* by including the direct grant of rural leases as exempt under Schedule 1.

DETAILS OF THE REGULATIONS

Schedule 1 of the Regulations specifies exemptions under Part VI of the Land Act. The consolidation of an existing rural lease with additional land is deemed to be a lease variation under Section 222(3) of the Land Act and thus subject to the Development Application process and therefore not currently exempt from Schedule 1.

The amending regulations will enable the DA process to be bypassed and the consolidated rural leases to be issued more expeditiously.

It is proposed that existing rural leases will be surrendered in favour of a new rural lease comprising both the additional land and the previous leased area. This is consistent with Policy 9 of the Rural Policy that encourages lessees to consolidate fragmented lease holdings and include additional land, such as agistment land, into a single lease.

FINANCIAL IMPLICATIONS

The amending regulations will mean that approximately 13 Development Applications will not be submitted, resulting in a reduction in revenue to the ACT Planning and Land Authority.