

AUSTRALIAN CAPITAL TERRITORY

LAND (PLANNING AND ENVIRONMENT) ACT 1991

LAND (PLANNING AND ENVIRONMENT) (FURTHER RURAL LEASE GRANT
CONDITIONS) DETERMINATION 2003 (No 1)

DISALLOWABLE INSTRUMENT DI2003-323

EXPLANATORY STATEMENT

Outline

In accordance with subsection 171A(2) of the *Land (Planning and Environment) Act 1991*, Disallowable Instrument (No 2) DI 2003 – 254 and amendment determination (No 1) DI2003-294 determines the conditions which apply to grant of a further rural lease . Amongst other issues, the aforementioned Disallowable Instrument specifies maximum rural lease terms for the ACT, the conditions for payment of further rural leases and periods relevant to the payment of an *amount condition*.

This disallowable instrument revokes the above determinations.

Attachment A

The Attachment remains unchanged from the previous Disallowable Instrument.

Schedule 1

This Disallowable Instrument replaces the current Maximum Rural Lease Term Map (Schedule 1 of DI 2002 - 254) with a revised plan (new Schedule 1).

The map adds 20 year lease term category specifications for Block 8 Section 18 Hall, and a number of blocks subject to rural uses in the Hume, Jerrabomberra and Symonston area. The Hume, Jerrabomberra and Symonston area was previously categorised as “Subject to Further Detailed Planning Studies”. The area now identified for 20 year leases includes additional land or agistment blocks suitable for agricultural purposes which may be considered for incorporation into further rural leases. A number of the rural leases in this area are due to expire in the next couple of years. A decision has now been made to offer further 20 years

rural leases which still include withdrawal provisions should the land be required for development or conservation purposes. The lease term category for Block 485 Stromlo has also been changed from a 99 year term to 20 year lease term category. This change reflects recent planning studies (Spatial Plan) which indicated areas in the Molonglo Valley suitable for future urban development.

Schedule 2

The Disallowable Instrument replaces Schedule 2 with a new Schedule 2. Schedule 2 determines the period in which a lessee is eligible to pay an *amount condition* for a further rural lease. The period is specified by reference to the date on which an application for a further lease is made, and the latest day on which a lessee may accept an offer of a further lease made consequent to an application.

The period of eligibility for the *amount condition* provision has been extended to 30 June 2004 to permit those rural lessees (other than those rural lessees in Hume, Jerrabomberra and Symonston who were not previously on the Maximum Rural Lease Term Map) who have not already applied or applied outside of the amount condition period, to benefit from the *amount condition* provisions. This is a further measure to assist rural lessees who have been affected by the drought and bush fires.

The period of eligibility for the *amount condition* for those rural lessees applying for further rural leases in Hume, Jerrabomberra and Symonston, will be an 18 month period ending on 30 June 2005.

Schedule 3

This Schedule is the determination of Land Value Payment Formulae for rural leases

The Schedule remains unchanged from the previous Disallowable Instrument.

Schedule 4

This Schedule is a map of Pialligo indicating payout categories for blocks.

The Schedule remains unchanged from the previous Disallowable Instrument.

Schedule 5

This Schedule is the determination of specific Land Value Payment Formulae for rural leases in Pialligo.

The Schedule remains unchanged from the previous Disallowable Instrument.

Schedule 6

This Schedule is the determination of land rent formulae for rural leases with terms less than 21 years.

The Schedule remains unchanged from the previous Disallowable Instrument.

Schedule 7

This Schedule is a map of Pialligo indicating blocks exempt from the preparation of a Land Management Agreement.

The Schedule is unchanged from the previous Disallowable Instrument.