

NORTHERN TERRITORY OF AUSTRALIA

CROWN LANDS AMENDMENT REGULATIONS 2023

Subordinate Legislation No. 10 of 2023

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Subordinate Legislation No. 10 of 2023*

Crown Lands Amendment Regulations 2023

I, Hugh Crosbie Heggie, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Crown Lands Act 1992*.

Responsible Minister:

E. D. LAWLER
Minister for Infrastructure, Planning and Logistics

H. C. HEGGIE
Administrator

Date of making: 11 May 2023

1 Title

These Regulations may be cited as the *Crown Lands Amendment Regulations 2023*.

2 Commencement

These Regulations commence on the commencement of Part 7 of the *Statute Law Amendment (Territory Economic Reconstruction) Act 2022*.

3 Regulations amended

These Regulations amend the *Crown Lands Regulations 1992*.

4 Regulation 4 amended (Interpretation)

- (1) Regulation 4, heading

omit

Interpretation

insert

Definitions

- (2) Regulation 4(1)

omit

- (1) In these Regulations, unless the contrary intention appears:

insert

In these Regulations:

- (3) Regulation 4, definitions ***grazing licence***, ***licence***, ***miscellaneous licence*** and ***occupation licence***

omit

- (4) Regulation 4(2)

omit

5 Part 3 replaced

Part 3

repeal, insert

Part 3 Licences**14 Prescribed conditions for licenses**

For section 92(2)(a) of the Act, the conditions in Schedule 1 are prescribed.

15 Prescribed conditions for classes of licenses

For section 92(2)(b) of the Act, the conditions in Schedule 2 are prescribed for each class of licence specified opposite.

6 Schedules 1 and 2 inserted

After regulation 54

insert

Schedule 1 Prescribed conditions for licenses

regulation 14

- 1 The licensee must obtain any approvals, permits or other licenses required under any other Act that are necessary for the purpose for which the licence was granted.
- 2 The licence is not transferable to another person unless the licensee has the written approval of the Minister.
- 3 The licensee must ensure the land the subject of the license is maintained in a clean and tidy state to the satisfaction of the Minister.
- 4 The licensee must take all reasonable measures to prevent the introduction or spread of weeds on the land the subject of the licence.
- 5 The licensee must notify the Minister and any other relevant authority if any of the following occur on the land the subject of the licence as soon as practicable after the occurrence:
 - (a) an incident involving the health or safety of a person;

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- (b) a potential or actual contamination, pollution or environmental harm or damage to the land.
- 6 At the end of the term of the licence, the licensee must remove any improvements made to the land the subject of the licence and any fittings, machinery, equipment or other chattels stored on that land.
- 7 The licensee has no right to compensation for any improvements to the land the subject of the licence.
- 8 The Minister may inspect the land the subject of the licence at any time during the term of the licence.
- 9 (1) If, at any time during the term of a licence or at the end of the term of a licence, the licensee fails to observe or carry out the licensee's obligations under the licence, the Minister may enter onto the land the subject of the licence and do any thing necessary to remedy the licensee's failure.
- (2) The licensee is responsible for any costs incurred by the Minister in relation to subclause (1).
- 10 (1) The licensee must obtain and maintain a policy of public risk insurance in relation to the land the subject of the licence.
- (2) The licensee must show evidence of the policy at the request of the Minister.
- 11 The licensee conducts the activities for the purpose for which the licence was granted on the land the subject of the licence at the licensee's own risk.
- 12 (1) The licensee indemnifies the Territory with respect to any harm or damage caused to the land, any water on or under the land, infrastructure or other improvements, or operations relating to the use of the land, on account of any activities carried out under the licence.
- (2) The indemnity extends to the acts and omissions of any of the licensee's agents or contractors.
- (3) The indemnity does not apply to the extent that:
- (a) compensation is provided under another clause of the licence; or
- (b) a grossly negligent or wilful act or omission of the owner has contributed to the harm or damage.

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- 13 (1) To the extent permitted by a law of the Territory, the licensee releases the Territory from any claim by the licensee in respect of:
- (a) death or injury of any person employed or engaged by the licensee; or
 - (b) loss or damage caused to the licensee's personal property, and any consequential loss.
- (2) Subclause (1) does not apply to a grossly negligent or wilful act or omission of the Territory that contributed to the death, injury, loss or damage.

Schedule 2 Prescribed conditions for classes of licenses

regulation 15

Class of licence		Conditions
1	Licence that provides for rights in relation to the supply of services	<p>(1) If the licensee engages in construction work to enable the service to be supplied or conveyed through, under, on, across or above the land the subject of the licence, the licensee must, on the completion of the work, prepare and provide the following to the Minister:</p> <ul style="list-style-type: none"> (a) a record or the details of the work; (b) the location of the work that enabled the service to be supplied or conveyed through, under, on, across or above the land. <p>(2) The expenses incurred in preparing and providing the information required under subclause (1) are at the licensee's own cost and not payable by or recoverable from the Territory.</p>
2	Licence that provides for taking natural substances	<p>(1) The licensee must not remain on the land the subject of the licence after taking and removing the substance or material without the Minister's written approval.</p> <p>(2) The Minister may, at any time during the term of the licence and in the 12 month period following the end of the term of the licence, request a report from the licensee</p>

Class of licence	Conditions
	showing the volume or amount of the substance or material taken by the licensee and the licensee must provide the report to the Minister on the Minister's request.
3 Licence granted on land that has improvements	A licensee must maintain, repair and keep in repair the improvements on the land the subject of the licence to the satisfaction of the Minister.
4 Licence granted on land that has natural bushland or other vegetation	<p>(1) A licensee must ensure that damage to the land the subject of the licence is minimal.</p> <p>(2) The licensee must not remove any trees from the land the subject of the licence unless the licensee has the written approval of the Minister.</p> <p>(3) If the land the subject of a licence is within a fire protection zone under the <i>Bushfires Management Act 2016</i>, the licensee is required to establish a firebreak on the land in accordance with that Act.</p> <p>(4) If the land the subject of a licence is within an emergency response area under the <i>Fire and Emergency Act 1996</i>, the licensee is required to create and maintain a firebreak on the land in accordance with that Act.</p>

7 Repeal of Regulations

These Regulations are repealed on the day after they commence.