

No. 64 of 1963.

An Ordinance to amend the *Crown Lands Ordinance* 1931-1962 and the *Crown Lands Ordinance (No. 3)* 1962.

[Reserved 22nd July, 1963.]

[Assented to 22nd August, 1963.]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1962, as follows:—

1.—(1.) This Ordinance may be cited as the *Crown Lands Ordinance* 1963. Short title and citation.

(2.) The *Crown Lands Ordinance* 1931-1962 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Crown Lands Ordinance* 1931-1963.

2 This Ordinance shall come into operation on a date to be fixed by the Administrator in Council by notice in the *Gazette*.† Commencement.

3. Section twenty-three of the Principal Ordinance is amended by inserting after the word “ Ordinance ” (first occurring) the words “ (other than miscellaneous leases and leases under section six A of this Ordinance) ”. General conditions of leases.

4. After section sixty-eight F of the Principal Ordinance the following section is inserted:—

“ 68G.—(1.) The Minister may in his absolute discretion grant to a person proposing to manufacture goods in the Territory a lease under this section notwithstanding that the lease has not been offered by auction under section sixty-seven of this Ordinance and that the land has not been made available for leasing under section sixteen of this Ordinance. Grant of leases for industrial purposes.

“ (2.) An application under this section shall be in writing signed by the applicant and shall be lodged with the Administrator.

* Assent notified in the *Government Gazette* of the Northern Territory on 4th September, 1963 (see *Gazette* No. 36, 1963, p. 175).

† The date fixed was 16th October, 1963 (see *Government Gazette* No. 42 of 16th October, 1963, p. 199).

“ (3.) An application for the grant of land under this section shall contain—

- (a) the proposals of the applicant in relation to—
 - (i) the type of manufacturing to be undertaken;
 - (ii) the location of the land to be leased;
 - (iii) the amount to be invested in buildings and equipment;
 - (iv) the number of persons to be employed;
 - (v) the location of markets for the goods to be manufactured;
 - (vi) the date when construction of the buildings will commence; and
 - (vii) the date when the manufacturing of goods will commence;
- (b) the opinion of the applicant in relation to the extent of markets for the goods proposed to be manufactured, and reasons for that opinion;
- (c) the applicant's reason for not obtaining an estate in fee simple, or a lease of land otherwise than under this section; and
- (d) any other matters the applicant considers relevant for the purposes of the application.

“ (4.) The Administrator in Council shall consider the application and shall make such recommendations to the Minister in relation to the application as the Administrator in Council thinks fit.

“ (5.) The Administrator in Council shall, in considering the application, take into account—

- (a) the matters contained in the application in pursuance of sub-section (3.) of this section;
- (b) the amount of the premium for the proposed lease;
- (c) the opinions of the Administrator as to whether the proposals of the applicant to manufacture goods, if carried out, would or would not—
 - (i) contribute substantially to the economic development of the Territory and the welfare of the people of the Territory;
 - (ii) within a reasonable time, establish the industry of manufacturing those goods in the Territory on a permanent and economic basis;
 - (iii) be detrimental to existing industries in the Territory;

- (iv) establish the industry of manufacturing those goods on a commercial scale in a part of the Territory not adequately served by an existing industry; and
 - (v) result in the investment in the Territory of an amount of not less than Twenty-five thousand pounds or such lesser amount as the Administrator in Council thinks appropriate having regard to all the circumstances; and
- (d) such other matters as the Administrator in Council thinks relevant.

“ (6.) Nothing in this section authorizes the grant of a lease to a person who has previously been granted a lease under this section.

“ (7.) A lease granted under this section shall contain, in addition to the matters elsewhere provided for in this Ordinance, such covenants, conditions and provisions as the Administrator, in his absolute discretion, determines.

“ (8.) Where land is leased under this section a premium is payable in cash by the lessee on the granting of the lease.

“ (9.) In this section—

‘ for industrial purposes ’ means for the purposes of constructing and operating on the land leased a factory for making goods for sale by means of power-driven machinery;

‘ premium ’ in relation to a lease of land, means the amount that, in the opinion of the Administrator, would be the amount payable by a successful bidder under sub-section (7.) of section sixty-seven of this Ordinance if the land were offered for sale at public auction under that section.”.

5—(1.) The *Crown Lands Ordinance (No. 3) 1962* is amended—

Amendments
of *Crown Lands
Ordinance
(No. 3) 1962.*

- (a) by omitting from sub-section (2.) of section one the figures “ 1962 ” (first occurring) and inserting in their stead the figures “ 1961 ”; and
- (b) by omitting from the title the figures “ 1962 ” (first occurring) and inserting in their stead the figures “ 1961 ”.

(2.) The amendments effected by the last preceding sub-section shall be deemed to have come into operation on the date of commencement of the *Crown Lands Ordinance (No. 3) 1962*.