

No. 29 of 1966

An Ordinance to amend the *Crown Lands Ordinance* 1931-1965 as amended by the *Crown Lands Ordinance* 1966

[Reserved 17th June, 1966.]

[Assented to 11th August, 1966.]*

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* 1910-1965, as follows:—

1 —(1.) This Ordinance may be cited as the *Crown Lands Ordinance* (No. 2) 1966. Short title
and citation

(2.) The *Crown Lands Ordinance* 1931-1965, as amended by the *Crown Lands Ordinance* 1966, is in this Ordinance referred to as the Principal Ordinance.

(3.) Section 1 of the *Crown Lands Ordinance* 1966 is amended by omitting sub-section (3.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Crown Lands Ordinance* 1931-1966.

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

3 After section 10A of the Principal Ordinance the following section is inserted:—

“10B.—(1.) Where the Administrator has certified that in his opinion a specified area of land does not constitute an economic area and is suitable only for occupation as part of an adjoining pastoral lease, the land included in the specified area may be advertised under sub-section (1.) of section sixteen of this Ordinance as land available for leasing under a pastoral lease only to an applicant who is the holder of a pastoral lease of land adjoining the land so advertised. Pastoral leases of
uneconomic areas

“(2.) If applications for a pastoral lease of land so advertised are made by two or more applicants the Administrator in Council shall obtain the recommendation of the Board as to which applicant should be granted a pastoral lease of that land.

Notified in the *Northern Territory Government Gazette* dated 17 August 1966.

† The date fixed was 31 August 1966 (see *Northern Territory Government Gazette* No. 43 of 31 August 1966, page 177).

“(3.) The Board shall thereupon consider all matters which in its opinion are relevant and, subject to the next succeeding sub-section, shall recommend to the Administrator in Council that a pastoral lease of the land be granted to the applicant whom it considers to be most suitable to be granted such a lease.

“(4.) If the Board considers that two or more applicants are equally suitable and that no applicant is more suitable to be granted such a lease, it shall decide by lot which applicant it shall recommend.

“(5.) Unless the Minister, on the written recommendation of the Administrator in Council accompanied by reasons for the recommendation directs otherwise, a person who is—

(a) the only applicant for the grant of a pastoral lease under this section; or

(b) the applicant recommended by the Board to be the grantee of a pastoral lease under this section, shall, on the surrender of his existing adjoining pastoral lease, be entitled to be granted a pastoral lease of land comprising that adjoining pastoral lease and the land referred to in sub-section (1.) of this section.

“(6.) A pastoral lease granted under the last preceding sub-section expires on the date on which the pastoral lease surrendered in order to obtain it would have expired if it had not been terminated earlier and is subject to such reservations, covenants, conditions and provisions as the Minister determines in accordance with the next succeeding sub-section.

“(7.) In determining the reservations, covenants, conditions and provisions to which a pastoral lease proposed to be granted under sub-section (5.) of this section shall be subject, the Minister—

(a) shall have regard to—

(i) the reservations, covenants, conditions and provisions of the existing adjoining pastoral lease of the proposed lessee; and

(ii) the boundaries, area and quality of the land comprised in that existing pastoral lease as compared with the boundaries, area and quality of the land to be comprised in the proposed pastoral lease; and

(b) shall modify those reservations, covenants, conditions and provisions only to the extent necessary or desirable in order to take into account the fact that the land advertised under the authority

of sub-section (1.) of this section will be included in the proposed pastoral lease, in addition to the land comprised in the existing pastoral lease.

“(8.) Section ten of this Ordinance does not apply to or in relation to an application for a lease, or a lease, made or granted under this section.

“(9.) In this section ‘economic area’ means such area of land as the Administrator, having regard to the area of land comprised in each other pastoral lease in the locality in which the first-mentioned area of land is situated and to all other circumstances which he thinks relevant, considers to be the minimum area of land necessary to permit the efficient and profitable production of pastoral products by the lessee of a pastoral lease in that locality.”.
