

# LOCAL GOVERNMENT ORDINANCE (No. 3) 1975

647

No. 1 of 1976

## An Ordinance to amend the *Local Government Ordinance* 1954 as amended

[Assented to 12 January 1976]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Local Government Ordinance* (No. 3) 1975. Short title

2. The *Local Government Ordinance* 1954 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. After section 165 of the Principal Ordinance the following sections are inserted:

"165A.(1) Where ratable land in a municipality is held by an association under a lease granted under the *Special Purposes Leases Ordinance*, the association may apply to the council of the municipality for a determination under this section. Land which is not fully ratable land

"(2) An association that makes an application under sub-section (1) shall lodge with the application an audited copy of its financial statements for the 3 completed financial years immediately preceding the date of the application, or for such longer period as the council may decide, and shall indicate whether it charges a fee to members of the public for admission to the land and, if so, the amount of the fee and the use to which the revenue so derived is put.

"(3) Upon receipt of an application under sub-section (1), the council shall consider the application and may, in its discretion, determine that, for a specified period not exceeding 5 years, that land is, in respect of specified rates that are payable after the date of the determination, ratable at a specified percentage of the full rate.

"(4) In exercising its discretion under sub-section (3) a council shall have regard to—

- (a) the financial state of the association;
- (b) the privileges enjoyed by members of the public;

- (c) if the association charges a fee to members of the public for admission to the land, the amount of the fee and the use to which the revenue so derived is put; and
- (d) such other matters as, in the opinion of the council, are relevant.

“(5) In this section ‘association’ means an association incorporated under the *Associations Incorporation Ordinance* for any purpose which is—

- (a) a cultural purpose;
- (b) the promotion of the welfare or health of members of the public;
- (c) the advancement or encouragement of agriculture; or
- (d) the provision of recreation or amusement for members of the public;

and which applies its income to any such purpose.

“165B.(1) Where the council of a municipality makes a determination under section 165A(3), it shall, as soon as practicable after the making of that determination, publish in a newspaper printed in the Territory and circulated in the municipality a notice indicating in respect of the determination—

- (a) the name of the association;
- (b) the land;
- (c) the percentage of the full rates that are payable;
- (d) the period of operation; and
- (e) if a rate has already been struck for a particular year during which it is to operate—the amount of the full rate payable for the land if the Determination had not been made and the amount that the association is required to pay for that year.

“(2) A council shall publish at the same time and in the same local newspaper as it publishes a summary of its estimates under section 155(1), a statement giving the details specified in paragraphs (a), (b) and (c) of sub-section (1) for all associations in respect of which a determination made under section 165A(3) is current.”.

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