SPECIAL PURPOSES LEASES ORDINANCE 1968

No. 48 of 1968

An Ordinance to amend the *Special Purposes Leases Ordinance* 1953–1965

[Reserved 20 March, 1968]

[Assented to 21 June, 1968]*

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* 1910-1967, as follows:—

Short title and citation

1.—(1.) This Ordinance may be cited as the *Special Purposes Leases Ordinance* 1968.

(2.) The *Special Purposes Leases Ordinance* 1953-1965, as amended by this Ordinance, may be cited as the *Special Purposes Leases Ordinance* 1953-1968.

2. After section 5 of the *Special Purposes Leases Ordinance* 1953-1965 the following sections are inserted:—

Power to invite applications for leases

"5A.—(1.) Subject to this section, the Administrator may, by notice in the *Gazette* of the Northern Territory, invite applications for the grant of a lease of any unleased land in respect of which a lease may be granted under section four of this Ordinance.

"(2.) Such a notice shall include, in relation to each parcel of land in respect of which applications are invited for the grant of a lease, a statement as to—

> (*a*) the unimproved capital value of the land, being the unimproved capital value of the land as determined by the Valuer-General; and
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> (*b*) the value of the improvements on the land, being the value of the improvements as determined by the Valuer-General.

"(3.) Applications shall be made in such form and contain such particulars and be subject to such conditions as the Administrator directs.

"(4.) Each applicant for a lease shall, in his application, state the unimproved capital value placed by him upon the land, or the value placed by him upon the improvements thereon, or both, as the Administrator requires.

"(5.) Other things being equal, if a lease is granted on an application under this section it shall be granted to the applicant placing the highest unimproved capital value upon the land, or the highest value on the improvements or both, as the case may be.

"(6.) If two or more applicants place the same unimproved capital value on a parcel of land, or the same value on the improvements, or both, as the case may be, and are otherwise equally eligible as lessees, the Administrator may determine by ballot or otherwise the applicant to whom the lease may be granted.

"(7.) The successful applicant under this section for the grant of a lease shall, before the lease is granted, pay to the Commonwealth a sum representing the difference (if any) between the unimproved capital value of the land as determined by the Valuer-General and the unimproved capital value placed on the land by the successful applicant in his application.

"(8.) The Administrator may, at any time before a lease is granted—

> (*a*) revoke the notice inviting applications for a lease; and
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> (*b*) invite fresh applications for the lease on the same or other conditions.

"5B.—(1.) The Minister may grant a lease of land for a special purpose notwithstanding that applications have not been invited under the last preceding section—   Grant of lease without applications being called

> (*a*) if the land is land which was included in a pastoral or agricultural lease which has been surrendered as to that land for the purpose of enabling that land to be leased for a special purpose;
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> (*b*) if the land is land reserved under any Ordinance; or
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> (*c*) if the Minister is satisfied that the circumstances are such that the lease ought to be granted without first inviting applications for the lease.

"(2.) Where a pastoral or agricultural lease has been surrendered as to any land for the purpose of enabling that land to be leased for a special purpose and the surrender has been accepted by the Minister subject to conditions specified in writing by the lessee at the time of the surrender, the Minister shall not grant a lease of that land except to such person and on such terms and conditions as are not inconsistent with the conditions so specified or are consented to in writing by the lessee of the pastoral or agricultural lease.".