

## STANDARD PRE-REQUISITES TO CONSENT TO TRANSFER OR SUB-LEASE PASTORAL LEASES

Under section 68 of the *Pastoral Land Act*, applications for consent to transfer or sub-lease must be in writing. Applications need not be addressed to the Minister for Natural Resources and the Environment, however should be directed to the appropriate regional centres either in Katherine or Darwin. Contacts and phone numbers for these regions are as follows:

### **Katherine**

PMB 123  
Katherine NT 0851

Contact : Tania Moloney  
Tel: (08) 8973 8108  
Fax: (08) 8973 8122

### **Darwin**

PO Box 30  
Palmerston NT 0831

Contact : Tony Fowlestone  
Tel: (08) 8999 4686  
Fax: (08) 8999 4403

There is provision under section 68(2) of the *Pastoral Land Act* that applications for consent to transfer may be referred to the Pastoral Land Board for consideration and recommendation. However, it is anticipated that such referrals will not be normal practice, and will only occur where advice that is specific to the role and functions of the Pastoral Land Board is required

*Note: section 68(4) which provides that the Minister shall not consent to the transfer of a pastoral lease until all lease rental and other moneys outstanding to the Territory under the lease are paid in full.*

**It is strongly recommended that any prospective purchaser of a pastoral lease inspects the property on the ground, prior to entering into a contract to purchase. Inquiries regarding particular leases may be made directly to officers of the Rangelands Management Branch, Department of Natural Resources, Environment and the Arts, either at Randazzo Arcade, Katherine or Goyder Building, Palmerston.**

The application in writing, together with the following, should be forwarded well in advance of the scheduled settlement date:

- A) Intending purchaser's name or company name; ie the full name, ACN and the way in which interests are to be held if there is more than one purchaser. This information is required to ensure that the purchaser's details in consent letters match the purchaser(s) details on instruments of transfer when they are lodged at the Land Titles Office.
- B) Intending purchaser's registered and postal addresses and ALSO the station Manager's name, telephone and facsimile numbers.
- C) Details of any other beneficial interests that the intending purchaser has in other Northern Territory pastoral lands. (The maximum holding permissible under the *Pastoral Land Act* is 13,000km<sup>2</sup> which can only be exceeded with the approval of the Minister for Natural Resources and the Environment).
- D) Advice as to whether the purchaser is an Australian or foreign citizen or company.



- E) If the purchaser is a foreign citizen or company, approval of the Foreign Investment Review Board is necessary.

Contact: Chief Executive Officer  
Foreign Investment Review Committee  
c/- The Treasury, Parks Place  
CANBERRA ACT 2600

Tel: (06) 263 3764

Fax: (06) 263 2940

- F) A list of shareholders in the purchasing company (as per Australian Securities Commission listing for companies with numerous shareholders).
- G) Details of the intending purchaser's related background experience in the pastoral industry in Australia and where relevant, that of the intended Property Manager.
- H) Details of any developments or intended alternative uses that are proposed that are non-pastoral, e.g. tourism.
- I) The lessee to **return the Pastoral Land Monitoring File** to the Pastoral Land Board, PO Box 30, Palmerston NT 0831 **WITHIN 14 DAYS** of making application.

**Please note should this file not be returned by time of settlement, a minimum fee of \$200 (a higher fee on larger files) will be charged to the lessee to reflect duplication costs of this important document. A fee for replacement of damaged files may also be applicable.**

- J) For term pastoral leases

A signed acknowledgment that the purchaser is aware of all lease covenants, conditions and reservations and any defaults of lease covenants and conditions and an undertaking to comply with the lease covenants, conditions and reservations and rectify all defaults; and

For perpetual pastoral leases

A signed acknowledgment that the purchaser is aware of all lease covenants, conditions and reservations and an undertaking to comply with them and maintain all improvements necessary for sustainable pastoral production on the land.

- K) A copy of the contract of sale or agreement to sell.
- L) The \$120 prescribed fee for consideration of the application.

**Note: Upon receiving an application, officers of the Department of Natural Resources, Environment and the Arts, will liaise with officers of the Department of Primary Industry Fisheries and Mine's Tuberculosis Freedom Assurance Program (TFAP) Unit, to ensure preliminary arrangements are in place for an approved TFAP. These contacts are:**

<b>TFAP (DPIFM)</b>	<b>Darwin</b>	<b>(08) 8999 2034</b>
	<b>Katherine</b>	<b>(08) 8973 9756</b>
	<b>Tennant Creek</b>	<b>(08) 8962 4486</b>
	<b>Alice Springs</b>	<b>(08) 8951 8181</b>