



# National Gazette

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[2014

*Land Act 1996*

## LAND AVAILABLE FOR LEASING

### A. APPLICANT:

Applicants or Tenderers should note—

1. Full name (block letters), occupation and address;
2. If a Company, the proper Registered Company name and address of the Company representative;
3. If more than one person, the tenancy desired and, if tenancy in common, the division of shares.

Applicants or tenderers should note—

4. That a lease cannot be held in a name registered under the *Business Names Act* only; and
5. That in the case of death in joint tenancy, the deceased partner's interest vests in the surviving partner and, in the case of tenancy in common, the deceased partner's interest vests in his estate.

### B. TYPE OF LEASE:

Leases provided for a Business, Residence, Pastoral, Agricultural, Mission or Special Purposes. State Leases may be granted for a maximum period of 99 years. Applicants should note that, in the case of land within physical planning areas the purpose of the lease must be in accordance with the zoning requirements of the *Physical Planning Act*.

### C. PROPOSED PURPOSES, IMPROVEMENTS, ETC:

The applicant or tenderer should provide fullest details (on attachment if necessary) of his proposal for the lease including information on—

1. Financial status or prospects;
2. Details of other land holdings in Papua New Guinea including approximate value of improvements to these holdings;
3. Approximate value and type of proposed improvements to the land applied for;
4. Experience and abilities to develop the land;
5. Any other details which would support the application.

### D. DESCRIPTION OF LAND:

To be used only when NOT in response to an advertisement. A brief description giving area and locality is required. A sketch plan should be provided on an attachment. Where possible the land parcel should be identified on a map published by the Department of Lands & Physical Planning.

In the case of Tenders or an advertisement of land available for leasing the description is to be inserted in the column provided under the heading "Tender or Land Available Preference".

**Land Available for Leasing—continued****E. TENDER OF LAND AVAILABLE PREFERENCE:**

The preference should be clearly indicated. In cases where there are more than 20 preferences the additional preferences may be shown on attachment. The "Description" should give the Lot and Section number or the Portion number as shown in the *Gazette*. The "Amount Offered" column need only be completed in the case of tenders.

**F. TENDERERS:**

Tenderers should take particular note that a tender for an amount less than the reserve price is invalid and shall not be considered. The successful tenderer will be required to pay the full amount of the tender.

**G. TOWN SUBDIVISION LEASES:**

In addition to the requirements of the relevant sections above, an applicant or tenderer for a Town Subdivision Lease shall submit:

- (i) A preliminary proposal for the subdivision.
- (ii) A preliminary sketch plan of the proposed subdivision.
- (iii) Provisionals proposals for subdivision surveys and installation of roads and drainage.

**H. FEES:**

1. All applications or tenders must be accompanied by a Registration of Application Fee. These are regulated as follows:—

	K		K
Residential high covenant ... ..	50.00	Mission Leases ... ..	20.00
Residential low-medium covenant ... ..	20.00	Agricultural Leases.. ... ..	20.00
Business and Special Purposes ... ..	100.00	Pastoral Leases ... ..	20.00
Leases over Settlement land (Urban & Rural)	20.00		

2. Following the grant of the lease, an additional fee of K50 (preparation of lease fee), and if surveyed, the survey fee as prescribed and, in the case of tender, the amount of the tender shall be payable within two months from the date of grant, ie. from the date of gazettal of therecommended lease holder in the *PNG National Gazette*.
3. If not surveyed, the payment of survey fee may be deferred until survey.

*NOTE:* If more than one block is required an additional Application Fee for each additional block must be paid.

**GENERAL:**

1. All applications must be lodged with the Secretary of Lands & Physical Planning;
2. All applications will be considered by the Land Board at a date which will be notified to the applicant and in the *National Gazette*.

(Closing date: Tender closes at 3.00 p.m. on Wednesday, 16th April, 2014)

**TENDER No. 028/2014—TOWN OF LOS NEGROS—MANUS PROVINCE—(ISLANDS REGION)****AGRICULTURE LEASE**

Location: Portion 173, Milinch of Kelaua.

Area in Hectares: 4.590 Hectares.

Annual Rental 1st 10 Years: K300.00 p/a

*Improvements and Conditions:* The lease shall be subject to the following Conditions:—

- (a) Survey;
- (b) The lease shall be bona fide for Agricultural and ancillary purposes.
- (c) Rent shall be paid at five per centum per annum (5% p.a) of the unimproved value and thereafter it shall be re-assessed every ten (10) years from the commencement date of the lease and the annual rent shall be determined at five per centum (5%) of the unimproved value so assessed.
- (d) Improvement: Section 88 of the *Land Act* 1996 provides that an Agriculture Lease shall be contain conditions prescribing the minimum improvements to be carried out by the lessess. Conditions applicable to the lease described above are as follows;-
  - (i) Of the land suitable for cultivation, the following proportions shall be planted in a good and husbandlike manner with a crop, crops or pasture species of economic value, which shall be harvested regularly in accordance with sound commercial practice;
    - Two-fifths in the first period of five (5) years of the term;
    - Three-fifths in the first period of fifteen (15) years of the term;

**Land Available for Leasing—*continued***

And during the remainder of the term, four-fifths of the land so suitable shall be kept planted.

- (ii) The lessee or his agent shall take-up residence or occupancy of his block within six (6) months from the date of grant.
- (e) Provided always that if at the end of the first two (2) years of the term of the lease, it appears that reasonable efforts are not being made to fulfill the improvements and stocking conditions, the Minister for Lands after dully considering any reply by the lessee to a Notice To Show Cause why he (the Minister) shall not so, do may by the Notice in the National Gazettee and in accordance with the provisions so the Land Act 1996 forfeit the Lease

Copies of Tender No. 028/2014 and plans will be displayed on the Notice Boards at the Department of Lands & Physicl Planning - Waigani and the Provincial Lands Office, Manus, Manus Province.

They may also be examined in the Land Allocation (Islands Region) of the Department of Lands and Physical Planning, Head Office (Ground Floor, Eda Tano House), Waigani, National Capital District.