

**No. S33, Monday, 29 April 1991**

**AUSTRALIAN CAPITAL TERRITORY**

**CITY AREA LEASES ACT 1936**

**SECTION 13(5)**

**NOTICE OF THE HOLDING OF AN AUCTION**

Under section 13(5) of the City Area Leases Act 1936, I GIVE NOTICE that an auction at which rights to the grant of leases of Banks 2 Estate (comprising Blocks 10, 11 and 12 Section 90 Banks), Gungahlin G1 Estate (comprising Blocks 1 and 2 Section 80 Palmerston), Gungahlin G2 Estate (Block 3 Section 80 Palmerston) and Gungahlin G3 Estate (comprising Blocks 4 and 5 Section 80 Palmerston) will be offered for sale to be held in Johnson Auditorium, Pilgrim House, 69 Northbourne Avenue, Canberra at 10 am on Tuesday 14 May 1991.

**A. Copies of:**

- (i) plans showing the location of those parcels; and
- (ii) documents containing statements with respect to:
  - (a) the distinguishing number allotted to each of those parcels;
  - (b) whether or not there are improvements on any of those parcels and, if so, a description of the improvements, the value of the improvements and whether or not the Territory on behalf of the Commonwealth is prepared to accept a mortgage securing the payment of an amount not exceeding the whole or a specified part of the improvements;
  - (c) the term to be included in each of those leases; and

- (d) the provisions, covenants and conditions to be included in each of those leases

are available from Ray L. Davis & Company Pty Limited  
12 Moore Street Canberra City 2601.

- B. An order under section 13(3) of that Act applies to Banks 2 Estate (Blocks 10, 11 and 12 Section 90 Banks). A separate order under section 13(3) of that Act applies to Gungahlin G1 Estate (Blocks 1 and 2 Section 80 Palmerston), Gungahlin G2 Estate (Block 3 Section 80 Palmerston) and Gungahlin G3 Estate (Blocks 4 and 5 Section 80 Palmerston). Both orders specify that the right to bid at the auction is restricted to persons in the following class:

Those people who have:

- (i) submitted an Application for the Right to Bid at the Restricted Auction for those blocks to Ray L. Davis & Company Pty Limited 12 Moore Street Canberra City 2601

not later than 2 pm on 12 April 1991;

- (ii) executed the "Industrial Conduct Undertaking" in the form set out in the Schedule hereto and submitted the said undertaking to Ray L. Davis & Company Pty Limited 12 Moore Street Canberra City 2601

not later than 2 pm on 12 April 1991;

- (iii) been accepted by the Territory as possessing the financial and managerial ability to undertake the successful development and operations of any of the blocks referred to above;

- (iv) been accepted by the Territory as possessing the experience and ability to undertake major land servicing works; and

- (v) not been advised by the Commonwealth of their inclusion in the "Special Notoriety" category under the Australian Government's guidelines for Dealing with Firms that have Achieved Special Notoriety in Deals with the Australian Building Construction Employee's and Builders Labourers' Federation.

The order applicable to Gungahlin G1 Estate, Gungahlin G2 Estate and Gungahlin G3 Estate additionally specifies that it shall be a condition for the grant of the right to bid at the abovementioned auction that upon a person becoming the successful bidder for any one of the Estates known as Gungahlin G1 Estate (comprising Blocks 1 and 2 Section 80 Palmerston), Gungahlin G2 Estate (Block 3 Section 80 Palmerston) or Gungahlin G3 Estate (comprising Blocks 4 and 5 Section 80 Palmerston) that person (or any person which in the reasonable opinion of the Minister is related to or connected with that successful bidder) shall no longer have any right to bid at the abovementioned auction for the right to the grant of a lease of either of the remaining Gungahlin Estates.

- C. A declaration has been made under section 13 (13A) of that Act. It applies to those parcels. The successful bidder for the right to the grant of a lease of any of those parcels may, at the time of the auction, pay to the Territory, instead of an amount equal to the amount of his bid, an amount equal to a tenth of that amount and he shall pay to the Territory within 36 days after the date of auction an amount equal to the difference between the amount paid by him at the time of the auction and the amount of his bid.

Date: twenty fourth day of April 1991



Peter Noble Guild, the  
person for the time being  
performing the duties of  
the office of Senior  
Executive Band 2, Position  
Number 5244. Delegate of  
the Chief Minister.

THIS IS THE SCHEDULE TO THE NOTICE MADE BY ME UNDER SECTION  
13(5) OF THE CITY AREA LEASES ACT 1936 ON twenty fourth DAY OF April  
1991.

#### INDUSTRIAL CONDUCT UNDERTAKING

.....a company incorporated in  
.....and having its registered office  
at ..... hereby undertakes to the  
Commonwealth of Australia that if it is the successful bidder for  
.....  
..... it will, while lessee of the City Area Lease of  
this Block, maintain and require any contractors and sub-  
contractors engaged in the undertaking of any works required to  
comply with the building and development covenant to be included  
in the City Area lease for the Block, to maintain a good  
industrial record and in particular undertake to:

- (a) adhere to relevant awards and formal industrial agreements;
- (b) adhere to National Wage Case principles;
- (c) prohibit "all in" or cash-in-hand payments;
- (d) ensure good safety practices in accordance with relevant legislation, awards and the procedures contained in the Building Industry Agreement;
- (e) refuse claims for payment for lost time due to strike action; and

- (f) refuse to recognise, co-operate with or deal in any way with the Australian Building Construction Employee's and Builders Labourers' Federation (BLF) following its deregistration under the Builders Labourers Federation (Cancellation of Registration) Act 1986. This does not affect dealings with the BLF as registered or recognised under state legislation in the States of Queensland, Tasmania, South Australia and Western Australia, but applies to any dealings with the BLF elsewhere.

The Common Seal of .....  
.....  
was hereunto affixed pursuant to the Articles of Association of  
that Company.



.....  
Delegates's Initials