

NORTHERN TERRITORY OF AUSTRALIA

LAND DEVELOPMENT CORPORATION AMENDMENT ACT 2009

Act No. 22 of 2009

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 22 of 2009

An Act to amend the *Land Development Corporation Act*

[Assented to 25 June 2009]
[Second reading 6 May 2009]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Land Development Corporation Amendment Act 2009*.

2 Commencement

This Act commences on 1 July 2009.

3 Act amended

This Act amends the *Land Development Corporation Act*.

4 Amendment of long title

Long title

omit

Territory and

substitute

Territory, for use for residential developments and for

5 Amendment of section 3 (Interpretation)

- (1) Section 3, heading

omit, substitute

3 Definitions

- (2) Section 3(1)

omit

- (1) In this Act, unless the contrary intention appears –

substitute

In this Act:

- (3) Section 3

insert (in alphabetical order)

Chief Executive Officer, see section 3(1) of the *Public Sector Employment and Management Act*.

co-development land means:

- (a) land declared as co-development land in an agreement between the Corporation and a person who:

- (i) owns or leases the land; or
- (ii) is a mortgagee in possession of the land; or
- (iii) occupies the land under a licence; or

- (b) land declared under the regulations as co-development land.

community amenities, areas or facilities includes health care facilities, child care facilities, aged care facilities, parks, open spaces, community centres, civic centres, halls, libraries, sporting facilities and transport facilities.

Corporation land means land owned or leased by, occupied under a licence by, vested in or otherwise acquired by or under the control or management of the Corporation.

industrial businesses includes other businesses usually associated with providing goods or services to industrial businesses or persons who work at or visit industrial businesses.

project land means Corporation land or co-development land.

residential developments means:

- (a) developments of residential accommodation of any kind; or
- (b) developments of any of the following to the extent they are associated with developments mentioned in paragraph (a):
 - (i) community amenities, areas or facilities;
 - (ii) commercial or retail areas or facilities.

Examples for paragraph (b)

- 1 A shopping precinct on the ground floor of a large apartment building.
- 2 A free standing gymnasium and a swimming pool in a suburban development of single dwellings.

(4) Section 3(2)

omit

6 Repeal and substitution of section 6

Section 6

repeal, substitute

6 Functions of Corporation

The functions of the Corporation are:

- (a) to develop and promote project land for use by industrial businesses; and
- (b) to develop and promote project land for use for residential developments; and
- (c) to undertake residential developments on project land; and
- (d) to provide services, facilities and general assistance to facilitate:
 - (i) the establishment and conduct of industry on project land; and
 - (ii) the use of project land for residential developments; and
- (e) to carry out or facilitate other activities associated with the development or management of project land, the use of project land by industrial businesses or the use of project land

for residential developments, including:

- (i) commercial activities; and
- (ii) recreational activities; and
- (iii) activities relating to heritage and environmental conservation.

7 Amendment of section 7 (Powers of Corporation)

- (1) After section 7(2)(a)

insert

(aa) form partnerships and enter into joint ventures and other arrangements for sharing profits; and

(ab) borrow money or raise money otherwise than by borrowing (including from outside the Territory or Australia); and

- (2) After section 7(2)(f)

insert

(fa) erect and construct community amenities, areas or facilities; and

- (3) Section 7(2)(h) and (j)

omit (all references)

its land

substitute

Corporation land

- (4) Section 7(2)(k)

omit

all the words after "animals on"

substitute

Corporation land or a part of the land; and

(5) Section 7(2)(m)

omit

its land

substitute

Corporation land

(6) Section 7(2)(a), (b) to (f), (g) to (j) and (l), at the end

insert

and

(7) After section 7(2)

insert

(3) The Corporation may exercise a power involving it doing either of the following only if it has the written approval of the Treasurer to do so:

(a) forming a partnership, or entering into a joint venture or other arrangement for sharing profits;

(b) borrowing money or raising money otherwise than by borrowing.

8 Further amendments

The Schedule has effect.

Schedule

section 8

| Provision | Amendment | |
|------------------------------------|--|---|
| | <i>omit</i> | <i>substitute</i> |
| sections 5(1) and (2) and 10(3)(a) | within the meaning of the <i>Public Sector Employment and Management Act</i> | |
| section 15(3) | chief executive officers, or employees, within the meaning of the <i>Public Sector Employment and Management Act</i> | Chief Executive Officers or public sector employees |
| section 33, heading | By-laws | by-laws |
| section 33(1) | its land | Corporation land |
| section 34, heading | By-laws | by-laws |
| section 34(1) | By-laws | by-laws |
| section 34(1)(a) | the land of the Corporation | Corporation land |
| section 34(1)(b) and (c) | the land of the Corporation or in a building on the land of the Corporation | Corporation land or in a building on the land |
| section 34(1)(d) to (f) | the land of the Corporation | Corporation land |
| section 34(1)(g) | By-laws | by-laws |
| section 35, heading | By-laws | by-laws |
| section 35(1)(a) and (2)(b) | the land of the Corporation | Corporation land |
| sections 36 and 37, heading | By-laws | by-laws |

| | | |
|----------------------------------|------------------------------------|----------------|
| section 37 | By-laws | by-laws |
| section 38, heading | By-laws (all references) | by-laws |
| section 44(2)(d), (f) and (g) | By-laws | by-laws |