

NORTHERN TERRITORY OF AUSTRALIA

JABIRU TOWN DEVELOPMENT AMENDMENT ACT 2008

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Act No. 24 of 2008

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# NORTHERN TERRITORY OF AUSTRALIA

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Act No. 24 of 2008

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An Act to amend the *Jabiru Town Development Act*, and for other purposes

[Assented to 30 June 2008]  
[Second reading 11 June 2008]

The Legislative Assembly of the Northern Territory enacts as follows:

## **Part 1 Preliminary matters**

### **1 Short title**

This Act may be cited as the *Jabiru Town Development Amendment Act 2008*.

### **2 Commencement**

This Act commences on 1 July 2008.

## **Part 2 Amendment of Jabiru Town Development Act**

### **3 Act amended**

This Act amends the *Jabiru Town Development Act*.

### **4 Amendment of section 3 (Definitions)**

#### **(1) Section 3**

*omit*

In this Act, unless the contrary intention appears –

*substitute*

In this Act:

- (2) Section 3, definitions **Council** and **town clerk**

*omit*

- (3) Section 3

*insert (in alphabetical order)*

**Council** means the West Arnhem Shire Council.

## **5 Amendment of section 15 (Functions of the Authority)**

- (1) Section 15(1)(a)

*omit*

and maintain

- (2) Section 15(1)(d)

*omit*

- (3) Section 15(1)(a) to (c), at the end

*insert*

and

## **6 Amendment of section 16 (Powers of the Authority)**

- (1) Section 16(2)(p)

*omit*

- (2) Section 16(2)(a) to (n), at the end

*insert*

and

## **7 Repeal of sections 17 and 18**

Sections 17 and 18

*repeal*

**8 Repeal and substitution of section 19A (Delegation)**

Section 19A

*repeal, substitute***19A Delegation**

The Authority may delegate any of its powers and functions under this Act to a person.

**9 Repeal of Parts IIIAA and IIIA**

Parts IIIAA and IIIA

*repeal***10 Amendment of Part IV heading**

Part IV, heading

*omit***AND COUNCIL****11 Amendment of section 27 (Application of moneys)**

Section 27(a)

*omit, substitute*

(a) in payment or discharge of the expenses and other obligations of the Authority; and

**12 Repeal of sections 28A to 28Q and 29A to 30**

Sections 28A to 28Q and 29A to 30

*repeal***13 Amendment of section 31 (By-laws)**

(1) Section 31(2)(a) and (b)

*omit*

(2) Section 31(2)(c) and (d), at the end

*insert*

and

**14 Repeal and substitution of sections 31A and 31B**

Sections 31A and 31B

*repeal, substitute*

**31A Proceedings**

Proceedings for the recovery of money owing to the Authority, or for recovery of a penalty for an offence against this Act, may be taken at the direction of:

- (a) the Authority; or
- (b) the Chairman of the Authority; or
- (c) a person to whom the Authority has delegated its power to authorise the proceedings.

**15 Amendment of section 32 (Regulations)**

(1) Section 32(1)

*omit, substitute*

- (1) The Administrator may make regulations under this Act.

(2) Section 32(3)

*omit*

**16 New sections 33 to 35**

After section 32

*insert*

**33 Dissolution of Jabiru Town Council**

(1) On 1 July 2008:

- (a) the Jabiru Town Council is dissolved; and
- (b) all its property, rights, liabilities and obligations (including contractual rights, liabilities and obligations) become property, rights, liabilities and obligations of the West Arnhem Shire Council.

- (2) If, apart from this subsection, property would be acquired from a person because of the operation of subsection (1) other than on just terms:
- (a) the person is entitled to receive from the Territory the compensation necessary to ensure the acquisition is on just terms; and
  - (b) a court of competent jurisdiction may decide the amount of compensation or make the orders it considers necessary to ensure the acquisition is on just terms.

#### **34 Certain by-laws continue in force**

Subject to section 35:

- (a) the by-laws in force under this Act, at the commencement of this section then become by-laws of the West Arnhem Shire Council (but their territorial application remains unchanged); and
- (b) a reference in any such by-law to the Authority will, as from the commencement of this section, be read as a reference to the West Arnhem Shire Council.

#### **35 Repeal of certain subordinate legislation**

The following are repealed:

- (a) the *Jabiru Town Development (Accounting) Regulations*;
- (b) the *Jabiru Town Development (Council Elections) By-laws*.

### **Part 3 Amendment of Local Government Act 2008**

#### **17 Act amended**

This Act amends the *Local Government Act 2008*.

#### **18 Amendment of section 51 (Constitution of local boards)**

Section 51(1), note

*omit*

*are*

*substitute*

*may be*

**19 Amendment of section 54 (Council committees)**

Section 54(3), note

*omit*

*are*

*substitute*

*may be*