

Serial 152
Jabiru Town Development Amendment Bill 2008
Mr Knight

A Bill for an Act to amend the *Jabiru Town Development Act*, and for other purposes

NORTHERN TERRITORY OF AUSTRALIA

JABIRU TOWN DEVELOPMENT AMENDMENT ACT 2008

Act No. [] of 2008

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2008

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

[Assented to [] 2008]
[Second reading [] 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