

**DARLING HARBOUR AUTHORITY (AMENDMENT)
ACT 1986 No. 184**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 103, 1984

**SCHEDULE 1—AMENDMENTS TO THE DARLING HARBOUR AUTHORITY
ACT 1984**

**DARLING HARBOUR AUTHORITY (AMENDMENT)
ACT 1986 No. 184**

NEW SOUTH WALES



Act No. 184, 1986

An Act to amend the Darling Harbour Authority Act 1984 with respect to the development of certain land; and for other purposes. [Assented to 18 December 1986]

Darling Harbour Authority (Amendment) 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Darling Harbour Authority (Amendment) Act 1986".

Amendment of Act No. 103, 1984

2. The Darling Harbour Authority Act 1984 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

**AMENDMENTS TO THE DARLING HARBOUR AUTHORITY ACT
1984****(1) Section 5A—**

After section 5, insert:

Amendment of Schedule 7

5A. (1) The Governor may, by regulation, amend Schedule 7 by adding, amending or omitting a description of land in a Part of the Schedule.

(2) A description of land may not be added under subsection (1) (whether or not by amending a description) unless the land is to be used in connection with the works described in Schedule 6 and the Minister for Planning and Environment agrees.

(3) Section 12B applies in relation to a regulation referred to in subsection (1) in the same way as it applies to a proclamation, order or determination referred to in that section.

(4) In this section, "land" includes cubic space within the meaning of the Strata Titles Act 1973.

Darling Harbour Authority (Amendment) 1986

SCHEDULE 1—*continued*AMENDMENTS TO THE DARLING HARBOUR AUTHORITY ACT
1984—*continued*

(2) Section 9 (Objects of the Authority)—

After “Area”, insert “and land described in Schedule 7”.

(3) Section 23F (Approval for erection of supporting pillars)—

Section 23F (1)—

After “Schedule 6”, insert “other than such of them as are to be situated on land described in Schedule 7”.

(4) Section 38 (Restrictions on development)—

Section 38 (4)—

After section 38 (3), insert:

(4) Except to the extent that the regulations otherwise provide and subject to any modifications specified in the regulations, this Part applies to land described in Schedule 7 as if it were the subject of a development plan providing that development by way of erection of a building may not be carried out without a permit.

(5) Section 40 (Matters for consideration)—

At the end of section 40, insert:

(2) In determining an application that relates to land described in Schedule 7, the Authority—

(a) shall take into consideration the provisions of any planning instrument that, but for this Act, would affect the land; and

(b) in so far as the application involves the calculation of floor space ratios or provision for the parking of vehicles, shall act in accordance with the directions of the Minister for Planning and Environment.

(6) Section 59 (Application of certain legislation to land within the Development Area and Schedule 7)—

(a) Section 59 (b)—

Before “Parts”, insert “sections 270L and 277 (3) (b) and”.

*Darling Harbour Authority (Amendment) 1986*SCHEDULE 1—*continued*AMENDMENTS TO THE DARLING HARBOUR AUTHORITY ACT
1984—*continued*

(b) Section 59 (i)—

Omit “under any of those Acts or those Parts, as the case may require”, insert instead “for the purposes of any of the provisions referred to in paragraphs (a)–(h)”.

(c) Section 59 (2), (3)—

At the end of section 59, insert:

(2) Except to the extent that the regulations otherwise provide and subject to any modifications specified in the regulations, the provisions of the Liquor Act 1982 and of any instruments in force under that Act have effect in relation to premises located, or to be located, within the Development Area as if a reference in those provisions—

(a) to the council of a city (including the City of Sydney), municipality or shire were a reference to the Authority;

(b) to a council within the meaning of the Local Government Act 1919 were a reference to the Authority;

(c) to the boundaries of a city (including the City of Sydney), municipality or shire were a reference to the boundaries of the Development Area; and

(d) to a notice under a specified provision of the Local Government Act 1919 given by a council were a reference to a notice of the same kind given by the Authority.

(3) Except to the extent that the regulations otherwise provide and subject to any modifications specified in the regulations, the provisions of—

(a) the Environmental Planning and Assessment Act 1979;

(b) sections 270L and 277 (3) (b) and Parts XI and XII of the Local Government Act 1919;

(c) the Heritage Act 1977; and

SCHEDULE 1—*continued*AMENDMENTS TO THE DARLING HARBOUR AUTHORITY ACT
1984—*continued*

(d) any instrument in force for the purposes of any of the provisions referred to in paragraphs (a)–(c),
do not apply to or in respect of land described in Schedule 7.

(7) Section 67 (Regulations)—

Section 67 (3)—

After “Area”, insert “or land described in Schedule 7”.

(8) Schedule 6 (Description of works)—

(a) From clause 4, omit “item”, insert instead “clause”.

(b) After clause 4, insert:

5. Without affecting the generality of clause 4, the works referred to in that clause include works that, irrespective of their location in relation to the monorail transport system, are provided for the movement to or from any of the other works of pedestrian or vehicular traffic associated with the construction of the monorail transport system or its subsequent operation.

(9) Schedule 7—

After Schedule 6, insert:

SCHEDULE 7

(Sec. 5A)

LAND ANCILLARY TO THE DEVELOPMENT AREA

PART 1

All that piece or parcel of land situate in the City of Sydney, Parish of St. James and County of Cumberland: commencing at the intersection of the southern side of Market Street and the western side of Pitt Street, being the northeastern corner of lot 1, Deposited Plan 100216, and bounded thence on the east by the western side of Pitt Street southerly to the southeastern corner of lot 1, Deposited Plan 85048; on the south by the southern boundary of lot 1, Deposited Plan 85048 and lot 1, Deposited Plan 70588 westerly; generally

Darling Harbour Authority (Amendment) 1986

SCHEDULE 1—*continued*AMENDMENTS TO THE DARLING HARBOUR AUTHORITY ACT
1984—*continued*

on the west by the generally western boundary of lot 1, Deposited Plan 70588 and lot 1, Deposited Plan 940838 generally northerly; on the north by the southern side of Market Street easterly to the point of commencement and having an area of 2164 square metres or thereabouts (S.B. 30897).
