

[Act 1998 No 29]



New South Wales

Darling Harbour Authority Amendment and Repeal Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are:

- (a) as the first step in a two-step program. to amend the *Darling Harbour Authority Act 1984* so that the Darling Harbour Authority ceases to have environmental planning functions with respect to land in the Darling Harbour Development Area, those functions to be exercised instead by the Minister administering the *Environmental Planning and Assessment Act 1979*. and
- (b) as the second step in that program. to repeal the *Darling Harbour Authority Act 1984* and dissolve the Darling Harbour Authority, the assets and functions of the Authority to be transferred to such other body as the Minister administering the proposed Act determines.

The Bill also makes consequential amendments to other Acts and instruments and contains savings and transitional provisions.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation, being a day or days occurring on or after the day on which the *Environmental Planning and Assessment Amendment Act 1997* commences.

Clause 3 is a formal provision giving effect to the amendments to the *Darling Harbour Authority Act 1984* set out in Schedule 1.

Clause 4 is a formal provision giving effect to the amendments to other Acts and instruments set out in Schedule 2, being amendments consequent on the amendments to the *Darling Harbour Authority Act 1984* referred to in clause 3.

Clause 5 repeals the *Darling Harbour Authority Act 1984* and certain regulations under that Act.

Clause 6 is a formal provision giving effect to the amendments to other Acts and instruments set out in Schedule 3, being amendments consequent on the repeal of the *Darling Harbour Authority Act 1984* referred to in clause 5.

Clause 7 is a formal provision giving effect to the savings, transitional and other provisions set out in Schedule 4.

Schedule 1 amends the *Darling Harbour Authority Act 1984* so as to give effect to the first step in the two-step program referred to above.

Schedule 2 amends the following Acts and instruments as a consequence of the amendments to the *Darling Harbour Authority Act 1984* to be effected by Schedule 1:

- *City of Sydney Act 1988 No 48*
- *Darling Harbour Authority (General) Regulation 1994*
- *Darling Harbour (Management of Public Areas) Regulation 1995*
- *Environmental Planning and Assessment Act 1979 No 203*
- *Land and Environment Court Act 1979 No 204*
- *Liquor Act 1982 No 147*
- *Liquor Regulation 1996*
- *Local Government Act 1993 No 30*

- *Registered Clubs Act 1976 No 31*
- *Registered Clubs Regulation 1996*

Schedule 3 amends the following Acts and instruments as a consequence of the repeal of the *Darling Harbour Authority Act 1984* to be effected by proposed section 5:

- *Darling Harbour (Monorail) Regulation 1995*
- *Environmental Offences and Penalties Act 1989 No 150*
- *Environmental Planning and Assessment Act 1979 No 203*
- *Impounding Act 1993 No 31*
- *Local Government Act 1993 No 30*
- *Motor Traffic Regulations 1935*
- *Public Authorities (Financial Arrangements) Act 1987 No 33*
- *Public Authorities (Financial Arrangements) Regulation 1995*
- *Public Finance and Audit Act 1983 No 152*
- *Public Sector Management Act 1988 No 33*
- *Rail Safety Act 1993 No 50*
- *Strata Schemes (Leasehold Development) Act 1986 No 219*
- *Transport Administration Act 1988 No 109*

Schedule 4 provides for the dissolution of the Darling Harbour Authority, and the transfer of its staff, assets, rights and liabilities, consequent on the repeal of the *Darling Harbour Authority Act 1984* to be effected by proposed section 5.