

## DARLING HARBOUR AUTHORITY (AMENDMENT) BILL 1988

NEW SOUTH WALES



### EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend the Darling Harbour Authority Act 1984 and Darling Harbour Development Plan No. 1 so as to enable the carrying out of certain development; and
- (b) to amend the Darling Harbour Authority Act 1984 so as to enable the Darling Harbour Authority as well as any other person to carry out any such development; and
- (c) to validate certain matters.

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**Clause 1** specifies the short title to the proposed Act.

**Clause 2** provides that the proposed Act is to commence on the date of assent.

**Clause 3** defines the expressions “the Principal Act” and “the Principal Plan” (meaning the Darling Harbour Authority Act 1984 and Darling Harbour Development Plan No. 1, respectively) for the purposes of the proposed Act.

**Clause 4** gives effect to the Schedule of amendments to the Principal Act.

**Clause 5** gives effect to the Schedule of amendments to the Principal Plan and provides that those amendments are to have effect as if they had been made by a development plan.

**Clause 6** validates certain acts and omissions, in particular—

- (a) the making of any development plan; and
- (b) the issue of any permit; and
- (c) the entering into of any contract or agreement; and
- (d) the granting of any lease; and

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(e) the carrying out of any development, that would have been valid had the proposed Act been in force when the act or omission occurred.

**SCHEDULE 1—AMENDMENT OF THE PRINCIPAL ACT**

**Schedule 1 (1)** inserts a new section 10A into the Principal Act. The new section specifies the purposes for which the Darling Harbour Authority may carry out development on land within the Development Area.

**Schedule 1 (2)** amends section 11 of the Principal Act so as to provide that the powers conferred on the Darling Harbour Authority by that section are not to be construed so as to limit the powers conferred on the Authority by proposed section 10A.

**SCHEDULE 2—AMENDMENT OF THE PRINCIPAL PLAN**

**Schedule 2** makes amendments to the Principal Plan. The Principal Plan was published in Gazette No. 117 of 16 August 1985 (at page 4327) and has been amended by Darling Harbour Development Plan No. 2 published in Gazette No. 167 of 17 October 1986 (at page 5185).

**Schedule 2 (1)** amends clause 3 of the Principal Plan so as to ensure that the provisions of the plan are not limited by reference to any particular functions of the Darling Harbour Authority specified in the Principal Act.

**Schedule 2 (2)** amends clause 5 of the Principal Plan so as to define certain expressions to be used in the Principal Plan. The expressions “child care centre”, “light industry” and “recreation facility” are to have the same meanings as they have in the Environmental Planning and Assessment Model Provisions 1980. Other expressions (including, in particular, “commercial premises”) are to have the same meanings as they have in the City of Sydney Planning Scheme Ordinance.

**Schedule 2 (3) and (4)** substitute clause 6 of, and Schedule 1 to, the Principal Plan so as to specify the purposes for which development may be carried out on land within the Darling Harbour Development Area under a permit issued by the Darling Harbour Authority.

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