

South Australia

North Haven (Miscellaneous Provisions) Act 1986

An Act to amend the North Haven Trust Act 1979; to make provision for the subsequent repeal of that Act; and to make provision for certain matters relating to the land affected by that Act.

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Legislative history

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *North Haven (Miscellaneous Provisions) Act 1986*.

3—Interpretation

In Part 3 and Part 4—

the prescribed area means the area that became vested in the North Haven Trust by virtue of the operation of section 13 of the *North Haven Trust Act 1979*.

Part 2—Amendment of *North Haven Trust Act 1979*

4—Amendment of section 14—Functions of the Trust

Section 14 of the *North Haven Trust Act 1979* is amended—

- (a) by inserting in paragraph (b) of subsection (1) before the passage "to provide services" the passage "where it is, in the opinion of the Trust, appropriate to do so having regard to the nature and stage of development of the prescribed area,"; and
- (b) by inserting after subsection (2) the following subsection:
 - (3) Without limiting the generality of this section, the powers of the Trust include (and shall be deemed always to have included) power to dispose of the land, or any part of or interest in the land, comprised in the prescribed area whether the disposal of such land or interest is for the purpose of facilitating the development of the land or takes place at the completion of development of the land.

Part 3—Repeal of *North Haven Trust Act 1979*

5—Repeal of *North Haven Trust Act* and distribution of property etc of the *North Haven Trust*

- (1) The *North Haven Trust Act 1979* is repealed.¹
- (2) Subsection (1) shall not come into operation until a day to be fixed by proclamation.
- (3) The Governor may, in a proclamation fixing a day for subsection (1) to come into operation, transfer or distribute any property, rights, liabilities and obligations of the *North Haven Trust* to or between one or more of—
 - (a) the Crown;
 - (b) a Minister or Ministers of the Crown;
 - (c) the Corporation of the City of Port Adelaide,with effect from the day fixed by the proclamation.
- (4) The Governor may, by proclamation, fix the boundaries of the area of the Corporation of the City of Port Adelaide so that the prescribed area continues to form part of the area of the Corporation notwithstanding the repeal of the *North Haven Trust Act 1979*.
- (5) A proclamation under subsection (4)—
 - (a) shall have effect from the day fixed for subsection (1) to come into operation;
 - (b) shall not alter the boundaries of the area of the Corporation as in existence before that day;
 - (c) shall be deemed to have effect for all purposes as if it were a proclamation made under Part 2 of the *Local Government Act 1934*.

Note—

¹ The *North Haven Trust Act 1979* expired on 9.12.1993 see *Gazette 9.12.1993 p2882*

Part 4—Provisions relating to the land affected by the North Haven Trust Act

6—Exemption of parts of prescribed land from certain rates

- (1) The Governor may, by proclamation, exempt a specified part or parts of the prescribed area from assessment and rating under all or any of the following Acts:
 - (a) the *Land Tax Act 1936*;
 - (b) the *Sewerage Act 1929*;
 - (c) the *Waterworks Act 1932*.
- (2) The Governor may, by proclamation, vary or revoke a proclamation under this section.

7—Regulations relating to application of Harbors Act

The Governor may by regulation—

- (a) exempt the prescribed area from the application of a provision of Part 3 of the *Harbors Act 1936*;
- (b) declare that a provision of that Part shall apply to the prescribed area as if it were a harbor and with such modifications as may be prescribed.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal Act

Year	No	Title	Assent	Commencement
1986	40	<i>North Haven (Miscellaneous Provisions) Act 1986</i>	4.9.1986	1.11.1986 (<i>Gazette 30.10.1986 p1486</i>)

Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>s 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	..