



# NORTH HAVEN (MISCELLANEOUS PROVISIONS) ACT, 1986

No. 40 of 1986

## SUMMARY OF PROVISIONS

### PART I PRELIMINARY

**Section**

1. Short title
2. Commencement
3. Interpretation

### PART II

#### AMENDMENT OF NORTH HAVEN TRUST ACT, 1979

4. Amendment of section 14—Functions of the Trust

### PART III

#### REPEAL OF NORTH HAVEN TRUST ACT, 1979

5. Repeal of North Haven Trust Act and distribution of property, etc., of the North Haven Trust

### PART IV

#### PROVISIONS RELATING TO THE LAND AFFECTED BY THE NORTH HAVEN TRUST ACT

6. Exemption of parts of prescribed land from certain rates
7. Regulations relating to application of Harbors Act



ANNO TRICESIMO QUINTO

# ELIZABETHAE II REGINAE

A.D. 1986

\*\*\*\*\*

No. 40 of 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.

[Assented to 4 September 1986]

The Parliament of South Australia enacts as follows:

## PART I PRELIMINARY

- Short title.           1. This Act may be cited as the "North Haven (Miscellaneous Provisions) Act, 1986".
- Commencement.       2. This Act shall come into operation on a day to be fixed by proclamation.
- Interpretation.      3. In Part III and Part IV—  
                           "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 II AMENDMENT OF NORTH HAVEN TRUST ACT, 1979

Amendment of  
s. 14—  
Functions of the  
Trust.

4. 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 III

#### REPEAL OF NORTH HAVEN TRUST ACT, 1979

5. (1) The North Haven Trust Act, 1979, is repealed.

(2) Subsection (1) shall not come into operation until a day to be fixed by proclamation.

Repeal of North Haven Trust Act and distribution of property, etc., of the North Haven Trust.

(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 II of the Local Government Act, 1934.

### PART IV

#### PROVISIONS RELATING TO THE LAND AFFECTED BY THE NORTH HAVEN TRUST ACT

6. (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:

Exemption of parts of prescribed land from certain rates.

- (a) the Land Tax Act, 1936;

- (b) the Sewerage Act, 1929;
- (c) the Waterworks Act, 1932.

Regulations  
relating to  
application of  
Harbors Act.

(2) The Governor may, by proclamation, vary or revoke a proclamation under this section.

7. The Governor may by regulation—

- (a) exempt the prescribed area from the application of a provision of Part III 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.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor