



New South Wales

# Hurlstone Agricultural High School Site Bill 2009

## Explanatory note

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

## Overview of Bill

The objects of this Bill are:

- (a) to ensure that the Hurlstone Agricultural High School site remains in public ownership, and
- (b) to limit the use of the site to that of a government school.

## 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 the date of assent to the proposed Act.

**Clause 3** defines the Hurlstone Agricultural High School site and contains other interpretative provisions.

**Clause 4** specifies the objects of the proposed Act (as referred to in the Overview above).

**Clause 5** prohibits the Hurlstone Agricultural High School site from being sold, transferred, leased or otherwise alienated.

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**Clause 6** restricts development of the site so that it can only be used for the purposes of a government school.

**Clause 7** prevents any development of the site from becoming a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies.



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## Contents

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	Page
1 Name of Act	2
2 Commencement	2
3 Definitions	2
4 Objects of Act	2
5 Hurlstone Agricultural High School site not to be sold	2
6 Development of the site restricted to government school purposes	3
7 Part 3A of EP&A Act does not apply in relation to the site	3





New South Wales

# Hurlstone Agricultural High School Site Bill 2009

No. , 2009

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## **A Bill for**

An Act to require the Hurlstone Agricultural High School site to be retained for educational purposes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Hurlstone Agricultural High School Site Act 2009</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5
<b>3 Definitions</b>	6
(1) In this Act:	7
<b>government school</b> means a government school within the meaning of the <i>Education Act 1990</i> .	8
<b>Hurlstone Agricultural High School site</b> (or <i>the site</i> ) means the whole or any part of the following land:	9
(a) Lot 21, DP 1035516,	10
(b) Lot 22, DP 1035516,	11
(c) Lot 1, DP 175962,	12
(d) Lot 1, DP 175963,	13
(e) Lot 1, DP 177010,	14
(f) Lot 3, DP 736950,	15
(g) Lot 5, DP 808118.	16
(2) Words and expressions that are used in this Act and that are defined in the <i>Environmental Planning and Assessment Act 1979</i> have the same meaning as in that Act.	17
(3) Notes included in this Act do not form part of this Act.	18
<b>4 Objects of Act</b>	19
The objects of this Act are:	20
(a) to ensure that the Hurlstone Agricultural High School site remains in public ownership, and	21
(b) to limit the use of the site to that of a government school.	22
<b>5 Hurlstone Agricultural High School site not to be sold</b>	23
(1) The sale, transfer, lease or other alienation of the Hurlstone Agricultural High School site is prohibited.	24
(2) However, subsection (1) does not prevent a grant, transfer or sale to a NSW Government agency if the NSW Government agency is subject to the control and direction of a Minister of the State.	25
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<b>6</b>	<b>Development of the site restricted to government school purposes</b>	1
(1)	Development of the Hurlstone Agricultural High School site may only be carried out for the purposes of a government school.	2 3
	<b>Note.</b> Development is defined in the <i>Environmental Planning and Assessment Act 1979</i> to include the use of land.	4 5
(2)	Any development that is not allowed by this section is prohibited at the site, despite any other Act or any environmental planning instrument.	6 7
<b>7</b>	<b>Part 3A of EP&amp;A Act does not apply in relation to the site</b>	8
(1)	After the commencement of this Act, a declaration may not be made under section 75B of the <i>Environmental Planning and Assessment Act 1979</i> :	9 10 11
(a)	that the carrying out of development on the Hurlstone Agricultural High School site is a project to which Part 3A of that Act applies, or	12 13 14
(b)	that has the effect of making the carrying out of development on the site a project or part of a project to which Part 3A of that Act applies.	15 16 17
(2)	Any such declaration has no effect to the extent to which it applies to the site.	18 19
(3)	Any declaration under section 75B of the <i>Environmental Planning and Assessment Act 1979</i> that the carrying out of development on the site is a project to which Part 3A of that Act applies, or that has the effect of making the carrying out of development on the site a project or part of a project to which Part 3A of that Act applies, that was made before the commencement of this Act is revoked to the extent to which it applies to the site.	20 21 22 23 24 25 26