



New South Wales

# Fernleigh Track Conservation Area Protection Bill 2013

## Explanatory note

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

## Overview of Bill

The object of this Bill is to prevent the sale, lease or other disposal of certain land set aside for the Charlestown East Bypass, a project that is not being proceeded with. The land is in the vicinity of the Fernleigh Track Conservation Area, in the local government area of Lake Macquarie, and is presently owned by Roads and Maritime Services.

## 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** prohibits the sale, lease or other disposal of the relevant land except with the approval of both Houses of Parliament.



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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>Fernleigh Track Conservation Area Protection Act 2013</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5
<b>3 Certain land at Lake Macquarie not to be sold, leased or otherwise disposed of</b>	6
(1) This section applies to so much of the relevant land as is, on the date of assent to this Act, owned by Roads and Maritime Services.	7 8
(2) The relevant land, or any part of it, cannot be lawfully sold, transferred, mortgaged, charged, leased or otherwise alienated or encumbered except with the approval of both Houses of Parliament.	9 10 11
(3) This section does not affect any mortgage, charge, lease or encumbrance in existence immediately before the commencement of this section or the exercise of any power under such a mortgage, charge, lease or encumbrance.	12 13 14
(4) This Act binds the Crown in right of New South Wales and, in so far as the legislative power of the Parliament of New South Wales permits, the Crown in all its other capacities.	15 16 17
(5) In this section:	18
<b>relevant land</b> means the land at Belmont, Belmont North, Bennetts Green, Dudley, Gateshead, Highfields, Kahibah, Redhead and Whitebridge that is shown edged heavy black and lettered “7 (1)”, “7 (2)” or “7 (3)” on the map marked “Lake Macquarie Local Environmental Plan 2004 (Amendment No 53)” deposited in the office of Lake Macquarie City Council.	19 20 21 22 23