



New South Wales

Newcastle Inner-City Rail Corridor Preservation Bill 2014

Explanatory note

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

Overview of Bill

The object of this Bill is to preserve the Newcastle inner-city rail corridor for the purposes of public open space, passive recreational activities or public transport after the heavy rail line that currently occupies the corridor is removed.

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 certain words and expressions used in the proposed Act.

Clause 4 allows development to be carried out with the consent of Newcastle City Council for the purposes of public open space, recreation areas that are used for passive recreation only, kiosks, cafes and amenities related or ancillary to public open space and passive recreational activities and public transport.

Clause 5 specifies the development that is prohibited in the Newcastle inner-city rail corridor, including residential accommodation and commercial sports centres or gymnasiums.

Clause 6 provides that proposed sections 4 and 5 operate as provisions of an environmental planning instrument under the *Environmental Planning and Assessment Act 1979* and prevail to the extent of any inconsistency with any other environmental planning instrument.

Clause 7 makes it clear that the proposed 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.