



New South Wales

Transport Administration Amendment (Authority to Close Railway Lines) Bill 2016

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Transport Administration Act 1988* (*the Act*) to:

- (a) authorise a rail infrastructure owner to close the railway line that runs from Balmain Road, Lilyfield, to Victoria Road, Rozelle (including that part of the railway line known as the Rozelle rail yards), and
- (b) enable the Minister for Transport and Infrastructure to authorise, by order published in the Gazette, a rail infrastructure owner to close any other railway line in the greater Sydney, Newcastle, Central Coast or Wollongong metropolitan region for the purposes of or in connection with development that is declared to be State significant infrastructure under the *Environmental Planning and Assessment Act 1979*.

A railway line is closed (for the purposes of section 99A of the Act) if the land concerned is sold or otherwise disposed of or the railway tracks and other works concerned are 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.

Schedule 1 Amendment of Transport Administration Act 1988 No 109

Schedule 1 amends the Act to give effect to the object set out in the Overview above.

The map set out below indicates approximately the region in relation to which the Minister may make an order referred to in paragraph (b) of the Overview.





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Transport Administration Amendment (Authority to Close Railway Lines) Bill 2016

No. , 2016

A Bill for

An Act to amend the *Transport Administration Act 1988* to authorise the closure of a railway line between Lilyfield and Rozelle, and to authorise the closure of certain other railway lines in the greater Sydney, Newcastle, Central Coast and Wollongong metropolitan regions for certain purposes.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Transport Administration Amendment (Authority to Close Railway Lines) Act 2016*.

2 Commencement

This Act commences on the date of assent to this Act.

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Schedule 1	Amendment of Transport Administration Act 1988 No 109	1
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[1]	Section 99A Closure and disposal of railway lines	3
	Insert “or an order under subsection (1A)” after “Parliament” in section 99A (1).	4
[2]	Section 99A (1A) and (1B)	5
	Insert after section 99A (1):	6
	(1A) The Minister may, by order published in the Gazette, authorise a rail infrastructure owner to close any railway line, or part of a railway line, on land within the Greater Metropolitan Region.	7 8 9
	(1B) The Minister may make an order under subsection (1A) only if satisfied that the closure is required for the purposes of, or in connection with, State significant infrastructure within the meaning of the <i>Environmental Planning and Assessment Act 1979</i> . An order does not take effect until the carrying out of the State significant infrastructure is approved under Part 5.1 of that Act.	10 11 12 13 14
[3]	Section 99A (4)	15
	Insert after section 99A (3):	16
	(4) In this section:	17
	<i>coastal waters of the State</i> has the same meaning as in Part 10 of the <i>Interpretation Act 1987</i> .	18 19
	<i>Greater Metropolitan Region</i> means the region bounded by the coastal waters of the State and by, but not including, the local government areas of City of Shoalhaven, Wingecarribee, Upper Lachlan Shire, Oberon, City of Lithgow, Singleton, Dungog and Great Lakes.	20 21 22 23
[4]	Schedule 7 Savings, transitional and other provisions	24
	Insert at the end of the Schedule, with appropriate Part and clause numbering:	25
Part	Provisions authorising closure of railway line— Lilyfield to Rozelle	26 27
	Closure of railway line between Lilyfield and Rozelle	28
	(1) For the purposes of section 99A, a rail infrastructure owner is authorised to close the whole or any part of the railway line that runs from Balmain Road, Lilyfield, to Victoria Road, Rozelle.	29 30 31
	(2) Accordingly, a rail infrastructure owner authorised under subclause (1) may sell or otherwise dispose of the land concerned and remove the railway tracks and other works concerned.	32 33 34

Application

This Part extends to any action taken by a rail infrastructure owner before the commencement of this Part.

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