



New South Wales

Avalon Police Station (Public Ownership) Bill 2006

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 Avalon police station site remains in public ownership, and
- (b) to limit the use of the site to police and emergency 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 defines the Avalon police station site and contains other interpretative provisions for the purposes of the proposed Act.

Clause 4 specifies the objects of the proposed Act.

Clause 5 prohibits the Avalon police station site from being sold, transferred, leased or otherwise alienated.

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Clause 6 restricts development of the Avalon police station site so that it can only be used for the purposes of police or other emergency services.

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



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Avalon Police Station (Public Ownership) Bill 2006

No. , 2006

A Bill for

An Act to provide that the Avalon Police Station site remain in public ownership,
with its use restricted to policing and emergency services purposes.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Avalon Police Station (Public Ownership) Act 2006</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5
3 Definitions	6
(1) In this Act:	7
<i>Avalon police station site</i> means the land comprising Lot 76, DP 9151 and known as 75 Avalon Parade, Avalon, and includes all buildings and other fixtures situated on that land.	8 9 10
<i>emergency services organisation</i> has the same meaning as in the <i>State Emergency and Rescue Management Act 1989</i> .	11 12
Note. The definition includes NSW Police.	13
(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.	14 15 16
(3) Notes included in this Act do not form part of this Act.	17
4 Objects of Act	18
The objects of this Act are:	19
(a) to ensure that the Avalon police station site remains in public ownership, and	20 21
(b) to limit the use of the site to police and emergency services.	22
5 Avalon police station site not to be sold	23
(1) The sale, transfer, lease or other alienation of the Avalon police station site is prohibited.	24 25
(2) However, subsection (1) does not prevent a grant, transfer or sale to a statutory body representing the Crown if the statutory body is subject to the direction and control of a Minister.	26 27 28
(3) This section applies to any part of the Avalon police station site in the same way as it applies to the whole of the Avalon police station site.	29 30

6	Development of Avalon police station site restricted to police and emergency services	1 2
(1)	Development of the Avalon police station site may only be carried out for the purposes of police services or emergency services that are provided by an emergency services organisation.	3 4 5
	Note. Development is defined in the EP&A Act to include the use of land.	6
(2)	Any development (such as development for a residential purpose) that is not allowed by this section is prohibited at the Avalon police station site, despite any other Act or any environmental planning instrument.	7 8 9
(3)	The council of the local government area within which the Avalon police station site is situated is the consent authority in relation to the carrying out of development on the site.	10 11 12
7	Part 3A of EP&A Act does not apply in relation to Avalon police station site	13 14
(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> :	15 16 17
(a)	that the carrying out of development on the Avalon police station site is a project to which Part 3A of that Act applies, or	18 19
(b)	that has the effect of making the carrying out of development on the Avalon police station site a project or part of a project to which Part 3A of that Act applies.	20 21 22
(2)	Any such declaration has no effect to the extent to which it applies to the Avalon police station site.	23 24
(3)	Any declaration under section 75B of the <i>Environmental Planning and Assessment Act 1979</i> that the carrying out of development on the Avalon police station 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.	25 26 27 28 29 30 31