

Passed by both Houses



New South Wales

Roads Amendment (Private Railways) Bill 2010

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2010*



New South Wales

Roads Amendment (Private Railways) Bill 2010

Act No , 2010

An Act to amend the *Roads Act 1993* in relation to the carrying out of road works by the Roads and Traffic Authority involving private and other rail infrastructure.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Roads Amendment (Private Railways) Act 2010*.

2 Commencement

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

Schedule 1 Amendment of Roads Act 1993 No 33

[1] Part 9, Division 6

Insert after section 144E:

Division 6 Private railways

144F Effect of road work on private railway

- (1) A private railway is not to be taken to have been severed, closed or otherwise not used merely because the RTA carries out road work on, over, below or in the vicinity of the railway.
- (2) If, but for subsection (1), a private railway would have been severed, closed or otherwise not used because of road work carried out by the RTA on, over, below or in the vicinity of the railway, this section does not operate to affect any entitlement a person would have to compensation under this Act or the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (3) This section has effect despite the provisions of any Private Act.

[2] Dictionary

Insert “or rail infrastructure” after “service centre” in the definition of *road work*.

[3] Dictionary, definition of “road work”

Omit “or installed”. Insert instead “, installed or relocated”.