

Act No. 51

**MISCELLANEOUS ACTS (SYDNEY HARBOUR TUNNEL)
REPEAL AND AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Sydney Harbour Tunnel (Private Joint Venture) Bill 1987.

The objects of this Bill are—

- (a) to repeal the Sydney Harbour Bridge (Administration) Act 1932 and certain other enactments;
- (b) to amend certain enactments as a consequence of the enactment of the Sydney Harbour Tunnel (Private Joint Venture) Act 1987 and the repeal of the Sydney Harbour Bridge (Administration) Act 1932; and
- (c) to enact savings, transitional and other provisions.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with the exception of one provision, commence on the date of assent to the proposed Act. That provision (an amendment to the Capital Debt Charges Act 1957 consequent upon the enactment of the State Roads Act 1986) is to be deemed to have commenced on 21 May 1986, the date on which the State Roads Act 1986 commenced.

Clause 3 repeals the Sydney Harbour Bridge (Administration) Act 1932 and the Sydney Harbour Bridge (Administration) Amendment Act 1986.

Clause 4 gives effect to the amendments contained in Schedule 1.

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Clause 5 gives effect to the savings, transitional and other provisions contained in Schedule 2.

Schedule 1—

- (a) amends the Capital Debt Charges Act 1957 as a consequence of—
 - (i) the repeal of the Main Roads Act 1924 (item (1)); and
 - (ii) the proposed repeal of the Sydney Harbour Bridge (Administration) Act 1932 (item (2));
- (b) amends the Clean Air Act 1961 so as to include the tunnelling works and the ancillary works (within the meaning of the Sydney Harbour Tunnel (Private Joint Venture) Act 1987) within the Schedule to the Clean Air Act 1961;
- (c) amends the Justices Act 1901 with respect to penalty notices to be given under the State Roads Act 1986, as amended by the State Roads (Sydney Harbour Tunnel) Amendment Act 1987;
- (d) amends the Noise Control Act 1975 so as to include the tunnelling site and the ancillary sites (within the meaning of the Sydney Harbour Tunnel (Private Joint Venture) Act 1987) within the Schedule to the Noise Control Act 1975;
- (e) amends the Traffic Authority Act 1976 as a consequence of the proposed repeal of the Sydney Harbour Bridge (Administration) Act 1932; and
- (f) amends the Transport Authorities Act 1980 as a consequence of the proposed repeal of the Sydney Harbour Bridge (Administration) Act 1932.

Schedule 2 contains—

- (a) an interpretation provision (clause 1);
- (b) a provision that requires the amount standing to the credit of the Sydney Harbour Bridge Account (established under the Sydney Harbour Bridge (Administration) Act 1932) to be transferred to the Metropolitan Roads Fund (established under the State Roads Act 1986) (clause 2 (1));
- (c) a provision that requires the amount standing to the credit of the reserve for loan repayment in the Sydney Harbour Bridge Account to be transferred to the reserve for loan repayment in the Metropolitan Roads Fund (clause 2 (2));
- (d) a provision that deems certain regulations in force under the Sydney Harbour Bridge (Administration) Act 1932 to be regulations made under the State Roads Act 1986 (clause 3 (1));
- (e) a provision that deems a regulation in force under the Sydney Harbour Bridge (Administration) Act 1932, being a regulation that fixes tolls or charges in connection with the Sydney Harbour Bridge, to be an order made in accordance with section 35 of the State Roads Act 1986, as amended by the State Roads (Sydney Harbour Tunnel) Amendment Act 1987 (clause 3 (2)); and

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- (f) a provision that enables the Governor-in-Council to make regulations of a savings or transitional nature consequent on the enactment of the proposed Act (clause 4).
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