



New South Wales

# Roads Amendment (Private Railways) Act 2010 No 116

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New South Wales

## **Roads Amendment (Private Railways) Act 2010 No 116**

Act No 116, 2010

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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.  
[Assented to 29 November 2010]

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**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.

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## **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”.

[Agreement in principle speech made in Legislative Assembly on 12 November 2010

Second reading speech made in Legislative Council on 23 November 2010]

BY AUTHORITY