

Passed by both Houses



New South Wales

Rural Lands Protection Amendment Bill 2009

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council
2009

Clerk of the Parliaments



New South Wales

Rural Lands Protection Amendment Bill 2009

Act No , 2009

An Act to amend the Rural Lands Protection Act 1998 and the Rural Lands Protection Amendment Act 2008 to make further provision with respect to rates; and for other purposes.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Rural Lands Protection Amendment Act 2009*.

2 Commencement

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

Schedule 1 Amendment of rural lands protection legislation

1.1 Rural Lands Protection Act 1998 No 143

[1] Section 62 When are rates to be made and levied?

Insert after section 62 (3):

(3A) A rate does not have effect until it is approved by the Minister.

[2] Schedule 7 Savings and transitional provisions

Insert at the end of clause 1 (1):

Rural Lands Protection Amendment Act 2009

[3] Schedule 7, Part 7

Insert at the end of the Schedule:

Part 7 Provisions consequent on enactment of Rural Lands Protection Amendment Act 2009

48 Minister's approval of rates: section 62 (3A)

Section 62 (3A) applies only to a rate made after the commencement of that subsection.

49 Making and levying of rates before commencement of Schedule 4 [2] and [4] to Rural Lands Protection Amendment Act 2008

(1) This clause:

- (a) has effect on and from 1 January 2010, and
- (b) ceases to have effect on the commencement of Schedule 4 [2] and [4] to the *Rural Lands Protection Amendment Act 2008*.

(2) A rate may consist of:

- (a) a base amount, and
- (b) an amount payable for each stock unit based on the total notional carrying capacity of rateable land in the district.

(3) An authority may, in accordance with the regulations, if any, do either or both of the following:

- (a) divide its district into zones and make and levy different rates for different zones,

- (b) make and levy different rates for the different constituent parts of its district.
- (4) In this clause, *constituent parts* of a district means the divisions of districts and parts of divisions of districts that have been amalgamated by a proclamation under section 5 to constitute the district.
Note. The making of rates is subject to the approval of the Minister (see section 62 (3A)) and any guidelines and specific orders of the State Council (see section 12 (1)).

1.2 Rural Lands Protection Amendment Act 2008 No 112

Section 2 Commencement

Omit “commence on 1 January 2010” from section 2 (2).

Insert instead “commence on a day or days to be appointed by proclamation”.