



New South Wales

# Local Government (General) Amendment (Rate Exemptions) Regulation 2009

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

BARBARA PERRY, MP  
Minister for Local Government

## Explanatory note

The objects of this Regulation are as follows:

- (a) to provide that certain beneficiaries under the *Military Rehabilitation and Compensation Act 2004* of the Commonwealth are eligible for concessions from certain rates and charges under the *Local Government Act 1993* (**the Act**), and
- (b) to exempt the following land from all rates payable under the Act (other than water supply special rates and sewerage special rates):
  - (i) land comprising the site known as Museum of Sydney, on the site of first Government House,
  - (ii) land owned by a body corporate on behalf of an Aboriginal person or persons pursuant to an indigenous land use agreement under the *Native Title Act 1993* of the Commonwealth.

This Regulation is made under the *Local Government Act 1993*, including sections 556 and 748 (the general regulation-making power) and the definition of **eligible pensioner** in the Dictionary.

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**1 Name of Regulation**

This Regulation is the *Local Government (General) Amendment (Rate Exemptions) Regulation 2009*.

**2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

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## Schedule 1      Amendment of Local Government (General) Regulation 2005

**[1] Clause 123**

Omit clauses 123 and 124. Insert instead:

**123 Land exempt from rates (section 556)**

The following land is exempt from all rates, except water supply special rates and sewerage special rates:

- (a) all land leased by the Royal Agricultural Society in the Homebush Bay area (as defined in the *Olympic Co-ordination Authority Act 1995* before the repeal of that Act),
- (b) all land occupied by the Museum of Contemporary Art Limited,
- (c) all land comprising the site known as Museum of Sydney, on the site of first Government House,
- (d) all land that is held by a body corporate on behalf of an Aboriginal person or persons pursuant to an indigenous land use agreement registered under the *Native Title Act 1993* of the Commonwealth.

**[2] Clause 134 Eligible pensioners for the purposes of determining pensioner concessions—prescribed classes**

Omit clause 134 (b) (i). Insert instead:

- (i) a war widow or war widower within the meaning of the *Veterans' Entitlements Act 1986* of the Commonwealth, or

**[3] Clause 134 (b) (ii) and (iii)**

Omit “either of those Forces” wherever occurring.

Insert instead “the Australian Defence or Peacekeeping Forces”.

**[4] Clause 134 (b1)**

Insert after clause 134 (b):

- (b1) persons who have received a lump sum mentioned in section 234 (1) (b) of the *Military Rehabilitation and Compensation Act 2004* of the Commonwealth or are receiving a weekly amount mentioned in that paragraph, and do not have income and assets that would prevent them

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from being granted a pensioner concession card (assuming they were eligible for such a card),

**[5] Clause 134 (d)**

Insert after clause 134 (c):

- (d) persons who receive, or who at some point in their life have been eligible for, a Special Rate Disability Pension under the *Military Rehabilitation and Compensation Act 2004* of the Commonwealth.