



New South Wales

Community Improvement Districts Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows—

- (a) to provide for the establishment and operation of community improvement districts,
- (b) to provide for the recognition and functions of community improvement district entities to stimulate economic growth and community development,
- (c) for other purposes.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 provides that the proposed Act does not apply to land within a local government area until the Minister declares, by order published in the Gazette, that the area is subject to the proposed Act.

Clause 4 sets out the objects of the proposed Act.

Clause 5 empowers proposed Schedule 4 to define certain words and expressions used in the proposed Act.

Clause 6 sets out the relationship of the proposed Act to the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979* and *Retail Leases Act 1994*.

Part 2 Administration

Clause 7 sets out the functions of the Authority (the *Authority*), being Transport for NSW, under the proposed Act.

Part 3 Preparation and approval of CID proposals

Division 1 provides for the making of community improvement district proposals (a *CID proposal*) to impose levies on certain business land owners within a community improvement district (a *CID*) to fund specified services, activities or projects in the CID. An incorporated or unincorporated association (a *CID proponent*) must engage in community consultation before a CID proposal can be accepted by the Authority.

Division 2 requires the Authority to accept a CID proposal if satisfied the proposal has been properly made or reject it in the circumstances prescribed by the regulations. For every CID proposal a CID proposal ballot must be conducted to ascertain whether the CID proposal is supported.

The proposed division also provides for the voters in a CID proposal ballot, how votes may be cast, what constitutes support for a CID proposal and the conduct of a CID proposal ballot.

Division 3 requires the Authority to send a copy of a CID proposal that has acquired the required support in a CID proposal ballot to the relevant local council with a request that the local council notify the Authority within 30 days whether the local council supports the proposal or not.

The proposed division further requires the Authority to approve or reject a CID proposal if the CID proposal achieves the required support in a CID proposal ballot and to reject it if it does not. An approval expires after 5 years.

The proposed Act applies to certain variations of an approved CID proposal in the same way it applies to the making of a CID proposal.

Division 4 provides for certain requirements relating to the structure and membership of an incorporated association specified in an approved CID proposal as the CID entity for a CID (a *CID entity*).

The proposed division also specifies the matters relating to CID entities that may be dealt with by the regulations.

Division 5 provides that the regulations may specify what services, activities or projects a CID entity must not undertake in a CID.

The proposed division also deals with the making and approval of another CID proposal by a CID proponent, before or after a CID proposal expires, in accordance with the requirements of proposed Part 3.

The proposed division also provides the circumstances in which the Authority may terminate a CID proposal.

Part 4 Finance

Division 1 authorises the Authority to impose a levy on land within a CID to fund an approved CID proposal. A levy must be made by order published in the Gazette.

The proposed division also provides for the requirements of how a levy may be imposed on a landowner by giving notice. The Authority may charge interest on levies they have imposed that are due and unpaid.

Division 2 allows the regulations to deal with the recovery of unpaid levies.

Division 3 establishes the CID Levies Fund, with the Authority as its administrator, to hold money received by the Authority on trust for CID entities.

The proposed division also sets out what is payable into the CID Levies Fund, how the Authority must keep records of the amounts paid into it and what is payable from the CID Levies Fund.

The proposed division also provides for how the Authority may invest its funds. It allows the regulations to deal with circumstances where CID entities have ceased to operate before the relevant funds have been expended.

Part 5 Miscellaneous

Clause 31 provides that the proposed Act does not apply to government land.

Clause 32 defines *government land* for the proposed Act.

Clause 33 deals with the delegation of functions by the Minister and the Authority under the proposed Act.

Clause 34 authorises the Authority to collect the information and documents it requires from local councils and government sector agencies by written notice.

Clause 35 authorises the Authority to collect the information and documents it requires from a CID entity or employee of a CID entity by written notice. The clause makes it an offence for a person without reasonable excuse to fail to comply with the notice.

Clause 36 sets out what constitutes service of a document.

Clause 37 provides that proceedings for an offence under the proposed Act or regulations may be dealt with summarily before the Local Court.

Clause 38 makes it an offence for a person to disclose any information obtained in connection with the administration of the proposed Act conferring or imposing functions on the Authority except in specified circumstances.

Clause 39 allows the regulations to prescribe decisions under the proposed Act or regulations that are administratively reviewable by the Civil and Administrative Tribunal.

Clause 40 provides that the ability to apply for internal review under *Administrative Decisions Review Act 1997*, section 53 applies to decisions under clauses 10(2), 14(1), 14(2), 21(8), 22(4) or 28(4) or as prescribed by the regulations.

Clause 41 provides for the review of the proposed Act.

Clause 42 enables the Governor to make regulations for the purposes of the proposed Act.

Schedule 1 Savings, transitional and other provisions

Schedule 1, clause 1 provides that the regulations may contain savings, transitional and other provisions consequent on the enactment of a provision of, or amending, the proposed Act.

Schedule 1, clause 2 provides that the regulations may declare an existing CID or person is a CID or CID entity, respectively, under the proposed Act.

Schedule 1, clause 3 provides that pilot agreements entered into between a pilot CID and a person or body within the Department of Transport are taken to have instead been entered into between a pilot CID and the Authority.

Schedule 1, clause 4 provides that proposed Schedule 3 is taken to be and has effect as a regulation made by the Governor under the proposed Act. The *Subordinate Legislation Act 1989*, Part 2 and *Interpretation Act 1987*, sections 39–41 do not apply to the deemed regulation in proposed Schedule 3 but apply to an amendment or repeal of the regulation.

Schedule 2 Amendment of State Debt Recovery Act 2018 No 11

Schedule 2 inserts levies, fees and interest on unpaid levies under the proposed Act as a referable debt which may be referred by the head of the Authority for debt recovery under that Act.

Schedule 3 Community Improvement Districts Regulation 2025

Schedule 3 sets out the provisions to become the *Community Improvement Districts Regulation 2025*, including instructions on how a CID levy must be calculated.

Schedule 4 Dictionary

Schedule 4 contains the dictionary that defines certain terms used in the proposed Act.



New South Wales

Community Improvement Districts Bill 2025

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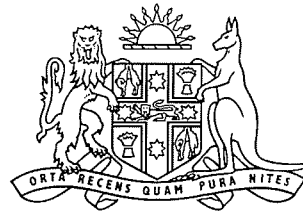
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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Community Improvement Districts Bill 2025

No , 2025

A Bill for

An Act to provide for the establishment and operation of community improvement districts; to provide for the recognition and functions of community improvement district entities; and for other purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

The Legislature of New South Wales enacts—	1
Part 1 Preliminary	2
1 Name of Act	3
This Act is the <i>Community Improvement Districts Act 2025</i> .	4
2 Commencement	5
This Act commences on a day or days to be appointed by proclamation.	6
3 Application of Act	7
This Act does not apply in relation to land within a local government area until the Minister, by order published in the Gazette, declares the area to be an area subject to this Act.	8 9 10
4 Objects	11
The objects of this Act are as follows—	12
(a) to provide for the establishment and operation of community improvement districts to stimulate economic growth and community development,	13 14
(b) to facilitate and assist in the delivery of services, projects and activities by CID entities in community improvement districts funded by CID levies,	15 16
(c) to support the NSW Government’s and local councils’ placemaking and economic development policies,	17 18
(d) to regulate CID entities, CID proposals and CID proposal ballots.	19
5 Definitions	20
The dictionary in Schedule 4 defines certain words and expressions used in this Act.	21
Note— The <i>Interpretation Act 1987</i> contains definitions and other provisions that affect the interpretation and application of this Act.	22 23
6 Relationship with other Acts	24
(1) Nothing in this Act alters the rights, liabilities or obligations of a council under the <i>Local Government Act 1993</i> .	25 26
(2) Nothing in this Act affects the operation of the <i>Environmental Planning and Assessment Act 1979</i> .	27 28
(3) To avoid doubt, a levy under this Act is a levy for the purposes of the <i>Retail Leases Act 1994</i> , section 12A(3).	29 30

Part 2	Administration	1
7	Functions of Authority under Act	2
	The functions of the Authority are as follows—	3
(a)	to accept or reject CID proposals,	4
(b)	to determine whether a CID proposal has met the requirements under this Act for a CID proposal ballot to take place,	5 6
(c)	to conduct CID proposal ballots or cause CID proposal ballots to be conducted,	7 8
(d)	to determine whether to approve or reject CID proposals after a CID ballot has taken place,	9 10
(e)	to regulate and oversee the operation of CID entities,	11
(f)	to impose, collect and distribute CID levies,	12
(g)	to enter into contracts and other arrangements with CID entities and other persons,	13 14
(h)	to terminate CID levies or to prohibit services, projects and activities under an approved CID proposal in accordance with the regulations,	15 16
(i)	to report to the Minister on matters related to CIDs as prescribed by the regulations,	17 18
(j)	with the approval of the Minister, to make and administer grants to support the development and operation of CIDs in the State,	19 20
(k)	to support the development of CIDs in the State through education and training and other information sharing and capacity building activities,	21 22
(l)	other related functions as necessary to give effect to the objects of this Act.	23

Part 3 Preparation and approval of CID proposals

Division 1 CID proposals

8 Making of CID proposals

- (1) A CID proponent may make a CID proposal to the Authority for the CID.
- (2) A **CID proposal** is a proposal to impose a levy on certain business land owners within a CID to fund specified services, activities or projects in the CID.
- (3) A CID proposal must specify the following—
 - (a) the proposed boundaries of the CID,
 - (b) details about the proposed CID entity for the CID, and if not currently incorporated, details about when the proposed CID entity will be incorporated,
 - (c) details about the proposed levy to fund the services, activities or projects in the CID proposal,
 - (d) information about how the proposed levy is to be calculated,
Note— A levy must not be calculated by reference to the production, manufacture, sale, distribution or consumption of goods—see section 21(2).
 - (e) the businesses, or classes of businesses, if any, proposed to be levy exempt,
 - (f) whether there is to be a levy-free threshold amount and, if so, the gross land value amount of the threshold,
 - (g) details about the expected budget of the proposed CID entity,
 - (h) information about proposed or possible services, activities or projects that could be undertaken in the CID by the CID entity,
 - (i) a list of the persons who are likely to be entitled to vote in the CID proposal ballot required under Division 2, prepared to the best of the CID proponent's knowledge, information and belief.
- (4) A CID proposal may specify the services, activities or projects proposed to be undertaken in the CID including the following—
 - (a) events, marketing and promotions services and activities to activate and revitalise places,
 - (b) safety and security services, cleaning services and environmental and amenity improvements,
 - (c) data analysis and market research,
 - (d) activities and projects to improve access, mobility and connectivity within a CID,
 - (e) other similar services, activities or projects.
- (5) A CID proposal must—
 - (a) include other documents and information prescribed by the regulations, and
 - (b) comply with other requirements of the Authority published in the Gazette from time to time, and
 - (c) comply with this section and other requirements set out by the regulations.
- (6) To avoid doubt, the services, activities or projects proposed to be undertaken in the CID may be undertaken in or in relation to public or private land within the proposed CID.
- (7) The regulations may specify matters that must not be included in a CID proposal.

9 Community consultation on CID proposals

- (1) Before a CID proposal is accepted by the Authority, the CID proponent must consult with the following about the CID proponent's plan to make a CID proposal—
 - (a) each local council whose area is within the boundaries of the CID,
 - (b) the community of the CID, including—
 - (i) residents of the CID, and
 - (ii) business land owners in the CID, and
 - (iii) CID businesses in the CID,
 - (c) other persons or bodies prescribed by the regulations.
- (2) The CID proponent must prepare a draft CID proposal as part of the consultation.
- (3) The CID proponent must prepare and give a report on the outcome of the consultation to the Authority at the time the CID proponent makes the CID proposal to the Authority.
- (4) To avoid doubt, the CID proponent may, after undertaking consultation, modify a CID proposal before the CID proposal is made to the Authority.
- (5) The regulations may deal with matters relating to the consultation.

Division 2 CID proposal ballot

10 Acceptance of CID proposal

- (1) The Authority must, if satisfied that a CID proposal has been properly made under Division 1, accept the CID proposal.
- (2) Despite subsection (1), the Authority may reject a CID proposal in circumstances prescribed by the regulations.

11 Dealing with CID proposal

- (1) The Authority must conduct a ballot, or cause a ballot to be conducted on its behalf, (a ***CID proposal ballot***) to ascertain if the CID proposal is supported by—
 - (a) the business land owners in the CID, and
 - (b) the CID businesses in the CID.
- (2) For subsection (1), the Authority may enter an agreement or other arrangement with a person, including the New South Wales Electoral Commissioner, to conduct a CID proposal ballot on the Authority's behalf.
- (3) To avoid doubt, the New South Wales Electoral Commissioner may conduct a CID proposal ballot on the Authority's behalf under the *Electoral Act 2017*, section 13 as if the reference in the section to an election were a reference to a CID proposal ballot under this section.

12 CID proposal ballot

- (1) A CID proposal ballot is to be conducted in accordance with the regulations.
- (2) However, in a CID proposal ballot—
 - (a) the voters in a CID proposal ballot are—
 - (i) the business land owners in the CID, and
 - (ii) the CID businesses in the CID, and
 - (b) only one business land owner may vote for each parcel of land within the boundaries of the CID, and

- Note—** There is only one vote per parcel of land. If land is owned by 3 persons, only one person may vote.
- (c) a business land owner may vote only once even if the business land owner owns more than one parcel of land in the CID, and
- Note—** If a person owns 3 parcels of land, the person may only vote once.
- (d) a CID business may vote only once even if the CID business operates on more than one parcel of land in the CID or operates more than one business or enterprise in the CID.
- (3) Without limiting subsection (1), the regulations under this section may—
- (a) specify a procedure under which the CID proponent submits a list of business land owners and CID businesses for approval by the Authority as the approved roll for the CID proposal ballot, and
- (b) require that only business land owners and CID businesses listed on the approved roll may vote in the CID proposal ballot, unless the business land owner or CID business is making a provisional vote in accordance with the regulation, and
- (c) adopt, with modifications, the provisions of *Local Government Act 1993* and the regulations under that Act dealing with council polls for the purpose of regulating the conduct of CID proposal ballots.
- (4) A CID proposal is supported by the district voters of the CID if the following requirements are met—
- (a) a majority of votes cast by business land owners are in favour of the CID proposal where at least 25% of enrolled business land owners in the CID voted in the CID proposal ballot,
- (b) a two-thirds majority of votes cast by CID businesses are in favour of the CID proposal where at least 25% of enrolled CID businesses in the CID voted in the CID proposal ballot.
- (5) A failure to comply with the regulations under this section in a trivial or insubstantial way does not invalidate a CID proposal ballot.
- (6) The regulations may specify the following—
- (a) how a CID proposal is to be made publicly available by the Authority,
- (b) fees to be paid by a CID proponent to the Authority if a CID proposal ballot is to be conducted.

Division 3 Approval of CID proposal

13 Local council support

- (1) If a CID proposal achieves the required support in a CID proposal ballot, the Authority must send a copy of the proposal, and a report on the result of the ballot, to each local council whose area is within the boundaries of the CID with a request that the local council notify the Authority whether the local council supports the proposal or not.
- (2) A local council must give the notice, with the reasons for the local council's decision, to the Authority within the period specified by the Authority, being a period of not less than 30 days.
- (3) Nothing in subsections (1) and (2) prevents a local council that has, in accordance with the subsections, notified the Authority that the local council does not support a CID proposal from rescinding its decision and giving a further notice to the Authority that the local council now supports the CID proposal.

- (4) The regulations may specify the way in which a local council must—
 - (a) make the decision on whether to support a CID proposal or not, and
 - (b) notify the Authority whether the local council supports the CID proposal or not, and
 - (c) give the reasons for the decision.

Example— A regulation may provide that the local council must notify the Authority about its decision by email to a specified address.

14 Approval of CID proposal after CID ballot

- (1) If a CID proposal achieves the required support in a CID proposal ballot, the Authority must approve or reject the CID proposal.
- (2) If a CID proposal does not achieve the required support in a CID proposal ballot, the Authority must reject the CID proposal.
- (3) The Authority must—
 - (a) in making a decision under subsection (1), consider the matters prescribed by the regulations, if any, and
 - (b) unless each local council whose area is within the boundaries of the CID has informed the Authority that it supports the CID proposal—reject the CID proposal, and
 - (c) reject a CID proposal in the circumstances prescribed by the regulations.
- (4) The Authority must not approve a CID proposal unless the Authority is satisfied the CID entity for the CID proposal complies with the requirements of the Act and the regulations.
- (5) The Authority must publish a copy of an approval of the CID proposal—
 - (a) in the Gazette, and
 - (b) on the Authority’s website.
- (6) The copy of the approval must include the following information—
 - (a) the name of the CID,
 - (b) the boundaries of the CID,
 - (c) details about the CID entity for the CID,
 - (d) details about the levy to fund the services, activities or projects in the approved CID proposal,
 - (e) information about how the levy is to be calculated.
- (7) An approval expires after the period of 5 years or another period prescribed by the regulations.
- (8) The regulations may deal with matters that the Authority must consider before making a decision under subsection (1), including the outcome of consultations that the CID entity may be required to undertake.

15 Variation of approved CID proposal

- (1) This Act applies to the following variations of an approved CID proposal in the same way as it applies to the making of a CID proposal—
 - (a) an alteration to the boundaries of the CID,
 - (b) a change to the levy amount or method of its calculation,
 - (c) a variation of a kind prescribed by the regulations.

- (2) The regulations may deal with variations to an approved CID proposal, including by modifying the application of the provisions of this Act to a proposal for a variation.

Division 4 CID entities

16 Structure and membership of CID entities

- (1) A CID entity must be an incorporated association.
- (2) The CID entity's constitution must provide that the following are eligible for free membership of the CID entity—
- (a) the business land owners in the CID,
 - (b) the CID businesses in the CID.
- (3) The CID entity's constitution must provide that the following are not eligible for membership of the CID entity—
- (a) a member of Parliament,
 - (b) a mayor or councillor of a local council,
 - (c) an employee of a government sector agency,
 - (d) an officer, employee or agent of a local council,
 - (e) another person of a class prescribed by the regulations.

17 Regulations about CID entities

The regulations may deal with matters relating to CID entities, including but not limited to the following—

- (a) the classes of incorporated associations that may be CID entities,
- (b) matters that CID entities' constitutions must include or provide for,
- (c) governance, operational and reporting requirements CID entities must comply with,
- (d) consultation that CID entities must undertake in relation to CID proposals, services, activities or projects the CID entities provide, undertake or arrange,
- (e) requirements for CID entities to provide mechanisms for community representation, feedback and engagement,
- (f) matters consequential on the insolvency, liquidation or dissolution of a CID entity,
- (g) matters concerning the delivery of approved CID proposals by CID entities.

Division 5 Miscellaneous

18 Operation of CID entities

The regulations may specify the services, activities or projects that must not be undertaken by a CID entity in a CID.

19 Further CID proposals for CIDs after expiry

Within one year before or at any time after a CID proposal expires, another CID proposal for the CID may be made by a CID proponent and approved by the Authority in accordance with the requirements of this part, including the requirement for the CID proposal to achieve the required support in a CID proposal ballot.

20	Termination of CID proposal for non-compliance	1
(1)	Without limiting section 17(f), the Authority may terminate a CID proposal if the Authority is satisfied the CID entity—	2
		3
(a)	is not operational, or	4
(b)	has failed to comply with this Act or the regulations or with the <i>Associations Incorporation Act 2009</i> or the regulations under that Act.	5
		6
(2)	The regulations may deal with matters consequential on a termination under this section.	7
		8

Part 4 Finance

Division 1 Levies

21 Authority may impose levies

- (1) The Authority may, by order published in the Gazette, impose a levy on land within a CID to fund an approved CID proposal if the land is rateable land categorised as business under the *Local Government Act 1993*.

Note— The Authority may only approve a CID proposal that has achieved the required support of district voters in a CID proposal ballot.

- (2) A levy must not be calculated by reference to the production, manufacture, sale, distribution or consumption of goods.
- (3) The Minister may, by order published in the Gazette, determine a maximum levy for land within a CID, which may be a specified amount or an amount calculated in a specified way for land.
- (4) A levy must be in accordance with the approved CID proposal and must not exceed the maximum levy, if any.
- (5) In imposing a levy, the Authority must consider the guidelines issued by the Minister and published in the Gazette, if any.
- (6) The regulations may deal with the imposition and collection of levies, including the determination and calculation of levy amounts.
- (7) A levy must be imposed by reference to value of rateable land as determined by the Valuer-General under the *Valuation of Land Act 1916*.
- (8) The Authority may refuse to impose a levy to fund an approved CID proposal if the Authority is satisfied or suspects that the CID entity—
- is not operational, or
 - has failed to comply with this Act or the regulations or with the *Associations Incorporation Act 2009* or the regulations under that Act.
- (9) The following land is exempt from levies under this Act—
- land that is exempt from rates under the *Local Government Act 1993*, section 555,
 - land with a gross land value below the levy-free threshold amount specified in the approved CID proposal, if any,
 - land used or occupied by a business, or a business of a class, identified in the approved CID proposal as levy exempt businesses.
- (10) Without limiting subsections (6) and (9), the regulations may exempt persons, or classes of persons, from liability to pay levies.

22 Imposition of levies

- (1) The Authority imposes a levy on a landowner by causing notice—
- to be served on the landowner, or
 - to be published in a way approved by the Minister having regard to the object of bringing notices of that kind to the attention of persons liable to pay the levy.
- (2) The notice must indicate—
- the levy and, if appropriate, the circumstances in which the levy becomes payable, and

(b)	the date or dates on which, or the period or periods at the end of which, the levy falls due, and	1
(c)	the CID to be funded by the levy, and	2
(d)	how information about the CID and its services, activities and projects may be accessed.	3
(3)	The levy falls due in accordance with the terms of the notice, except that no part of it falls due before the expiry of 14 days after the notice is published.	4
(4)	The Authority may determine not to collect a levy the Authority has imposed if the Authority is satisfied or suspects that the CID entity—	5
(a)	is not operational, or	6
(b)	has failed to comply with this Act or the regulations or with the <i>Associations Incorporation Act 2009</i> or the regulations under that Act.	7
23	Levy is a charge on land	8
(1)	A levy imposed by the Authority for a parcel of land, including interest accrued on unpaid levies, and costs awarded to the Authority by a court in proceedings to recover the levy, are a charge on the land.	9
(2)	The charge ranks on an equal footing with a charge on the land under any other Act.	10
(3)	The charge does not affect a bona fide purchaser for value who made due inquiry at the time of purchase but had no notice of the liability.	11
(4)	The provisions of this section have effect despite anything contained in the <i>Real Property Act 1900</i> , section 42.	12
(5)	Nothing in this Act prevents a landowner recovering an amount of a levy from a lessee of the land.	13
	Note— The terms of a lease of land may specify whether the lessor or lessee is liable to pay a levy.	14
24	Interest on unpaid levies	15
(1)	The Authority may charge interest on any levies imposed by the Authority that are due but unpaid.	16
(2)	The maximum rate at which interest may be charged under this section is the rate chargeable under the <i>Civil Procedure Act 2005</i> , section 101 in relation to unpaid judgment debts.	17
Division 2	Recovery of unpaid levies	18
25	Regulations relating to recovery of unpaid levies	19
(1)	The regulations may deal with the recovery of unpaid levies.	20
(2)	For subsection (1), the regulations may apply, adopt or incorporate provisions of the <i>Local Government Act 1993</i> and the regulations under that Act as in force at a particular time or from time to time.	21
Division 3	CID Levies Fund	22
26	Establishment of CID Levies Fund	23
(1)	There is to be established in the Special Deposits Account a CID Levies Fund (the <i>CID Levies Fund</i>).	24
(2)	The Authority is the administrator of the CID Levies Fund.	25

(3)	The purpose of the CID Levies Fund is to hold money received by the Authority on behalf of CID entities before the money is distributed to the CID entities for the purposes of approved CID proposals.	1 2 3
27	Payments into CID Levies Fund	4
(1)	There is payable into the CID Levies Fund—	5
(a)	all levies, fees, charges and other money received by the Authority in relation to a CID, and	6 7
(b)	all interest received for the investment of money belonging to the CID Levies Fund, and	8 9
(c)	all money directed to be paid into the CID Levies Fund by or under this or any other Act or law, and	10 11
(d)	money voluntarily paid into the CID Levies Fund by an owner of government land.	12 13
(2)	The Authority must keep records of the amounts paid into the CID Levies Fund in relation to each CID.	14 15
28	Payments from CID Levies Fund	16
(1)	There is payable from the CID Levies Fund—	17
(a)	money paid on account of a CID, or in connection with a CID, including in connection with an approved CID proposal for a CID, and	18 19
(b)	money directed to be paid from the fund by or under this or any other Act or law.	20 21
(2)	Money must be paid out of the CID Levies Fund in accordance with the directions of the Minister.	22 23
(3)	Money paid into the CID Levies Fund in relation to a CID, including levies collected to fund an approved CID proposal, must, subject to this section, be paid out of the fund to the relevant CID entity to meet the expenditure in connection with the approved CID proposal.	24 25 26 27
(4)	Despite subsections (1)(a) and (3), the Authority may withhold money from a CID entity if the Authority is satisfied or suspects the CID entity—	28 29
(a)	is not operational, or	30
(b)	has failed to comply with this Act or the regulations or with the <i>Associations Incorporation Act 2009</i> or the regulations under that Act.	31 32
(5)	Nothing in subsections (1)(a) and (3) requires money to be paid to a CID entity if the Authority is required or entitled to withhold money under the terms of a contract or other arrangement with the CID entity.	33 34 35
29	Investment	36
	The Authority may invest money in the CID Levies Fund—	37
(a)	if the Authority is a GSF agency for the <i>Government Sector Finance Act 2018</i> , Part 6—in any way that the Authority is permitted to invest money under that part, or	38 39 40
(b)	if the Authority is not a GSF agency for the <i>Government Sector Finance Act 2018</i> , Part 6—in accordance with the <i>Trustee Act 1925</i> or in any other way approved by the Minister with the concurrence of the Treasurer.	41 42 43

30	CID entity ceases operating	1
	The regulations may deal with circumstances where a CID entity ceases operating	2
	before all funds collected for the relevant approved CID proposal have be expended,	3
	including dealing with unspent levies.	4

Part 5 Miscellaneous

31 Application of Act to government land

- (1) This Act does not apply to the following—
 - (a) government land,
 - (b) the owners of government land,
 - (c) a tenant of, or business operating on, government land.
- (2) Despite subsection (1), if, before a CID proposal is accepted by the Authority under section 10, an owner of government land gives the Authority written notice in a way approved by the Authority, that the owner wishes the Act to apply to all or a specified part of the owner's land, this Act applies to the land or the specified part of the land.
- (3) The owner of government land must give a copy of the notice to any lessee of the land to which the notice applies, other than a lessee that is a government sector agency.
- (4) To avoid doubt, the notice—
 - (a) cannot be revoked by the owner of government land, and
 - (b) continues in effect until the expiry or termination of the CID proposal.
- (5) Nothing in subsection (1) prevents an owner of government land voluntarily paying an amount into the CID Levies Fund for an approved CID proposal.

32 Meaning of "government land"

- (1) Land is *government land* if—
 - (a) the land is owned by the Commonwealth, or
 - (b) the land is owned by the Crown, or
 - (c) the land is owned by a State owned corporation, or
 - (d) the land is owned by a local council, or
 - (e) the land is declared by the regulations to be government land.
- (2) The regulations may declare land referred to in subsection (1)(b)–(d) is not government land.
- (3) A provision of a regulation made under this section may specify the date on and from which the provision takes effect for this section.

33 Delegation

- (1) The Minister may delegate the exercise of a function of the Minister under this Act, other than this power of delegation, to—
 - (a) a person employed by the Authority or a member of staff of the Authority, or
 - (b) a person, or a class of persons, authorised for the purposes of this section by the regulations.
- (2) The Authority may delegate the exercise of a function of the Authority under this Act, other than this power of delegation, to—
 - (a) a person employed by the Authority or a member of staff of the Authority, or
 - (b) a head of a government sector agency within the meaning of the *Government Sector Employment Act 2013*, or
 - (c) a local council, or

(d)	a person, or a class of persons, authorised for the purposes of this section by the regulations.	1 2
(3)	A delegate may sub-delegate to an authorised person a function delegated by the Authority if the delegate is authorised in writing to do so by the Authority.	3 4
(4)	In this section— <i>authorised person</i> means a person of a class prescribed by the regulations.	5 6
34	Power to require information and documents from local councils and government sector agencies	7 8
(1)	For this Act, the Authority may, by written notice given to a local council or the head of a government sector agency, require the local council or government sector agency to do either of the following within the period stated in the notice, being not less than 21 days—	9 10 11 12
(a)	give the Authority information described in the notice,	13
(b)	give the Authority a document described in the notice that is in the person's custody or control.	14 15
(2)	Information or a document given to the Authority under subsection (1) may, for this Act, be used or disclosed—	16 17
(a)	by the Authority, including to a CID entity or a CID proponent, and	18
(b)	by a CID entity or a CID proponent.	19
(3)	To avoid doubt, information or a document is used or disclosed for this Act if it is used or disclosed in relation to the making of a CID proposal or a CID proposal ballot.	20 21 22
(4)	In this section— <i>head</i> , of a government sector agency, has the same meaning as in the <i>Government Sector Employment Act 2013</i> .	23 24 25
35	Power to require information and documents from CID entities	26
(1)	For this Act, the Authority may, by written notice given to a CID entity, or an officer or employee of a CID entity, require the CID entity, officer or employee to do either of the following within the period stated in the notice, being not less than 21 days—	27 28 29
(a)	give the Authority information described in the notice,	30
(b)	give the Authority a document described in the notice that is in the person's custody or control.	31 32
(2)	To avoid doubt, information or a document may be requested under subsection (1) only if the information or document is reasonably necessary for the administration of this Act.	33 34 35
(3)	The person must comply with the notice unless the person has a reasonable excuse. Maximum penalty—	36 37
(a)	for an individual—20 penalty units, or	38
(b)	otherwise—100 penalty units.	39
36	Service of documents	40
(1)	A document authorised or required by this Act or the regulations to be served on any person may be served by the following methods—	41 42
(a)	for an individual—by personal delivery to the person,	43

(b)	by post to the address specified by the person for the service of documents of that kind,	1
(c)	for an individual who has not specified such an address—by post to the residential or business address of the person last known to the person serving the document,	2
(d)	for a corporation—by post to the registered office or any other office of the corporation or by leaving it at any such office with a person apparently over 16 years of age,	3
(e)	by email to an email address specified by the person for the service of documents of that kind,	4
(f)	by any other method authorised by the regulations for the service of documents of that kind.	5
(2)	Nothing in this section affects the operation of a provision of a law or of the rules of a court authorising a document to be served on a person or the Authority by another method.	6
(3)	In this section, <i>serve</i> includes give or send.	7
37	Nature of proceedings for offences	8
	Proceedings for an offence under this Act or the regulations may be dealt with summarily before the Local Court.	9
38	Disclosure of information	10
	A person must not disclose information obtained in connection with the administration or execution of this Act unless the disclosure is made—	11
(a)	with the consent of the person from whom the information was obtained, or	12
(b)	in connection with the administration or execution of this Act, or	13
(c)	for the purposes of legal proceedings arising out of this Act or of a report of the proceedings, or	14
(d)	in accordance with a requirement imposed under the <i>Ombudsman Act 1974</i> , or	15
(e)	with other lawful excuse.	16
	Maximum penalty—	17
(a)	for an individual—20 penalty units, or	18
(b)	otherwise—100 penalty units.	19
39	Regulations may prescribe decisions that are administratively reviewable by Civil and Administrative Tribunal	20
(1)	The regulations may provide for applications to be made to the Civil and Administrative Tribunal for the administrative review under the <i>Administrative Decisions Review Act 1997</i> of decisions made under this Act or the regulations of a kind prescribed by the regulations.	21
(2)	The Minister must not recommend the making of a regulation containing provisions for subsection (1) unless the Minister certifies that the Minister administering the <i>Civil and Administrative Tribunal Act 2013</i> has agreed to the provisions.	22
40	Internal review of certain decisions	23
	Without limiting section 39, the <i>Administrative Decisions Review Act 1997</i> , section 53 applies to the following—	24
(a)	a decision under section 10(2), 14(1), 14(2), 20(1), 21(8), 22(4) or 28(4),	25

(b)	a decision of a kind prescribed by the regulations.	1
41	Review of Act	2
(1)	The Minister must review this Act to determine whether—	3
(a)	the policy objectives of the Act remain valid, and	4
(b)	the terms of the Act remain appropriate for securing the objectives.	5
(2)	The review must be undertaken as soon as possible after the period of 3 years from the date of commencement of this Act.	6 7
(3)	A report on the outcome of the review must be tabled in each House of Parliament within 12 months after the end of the period of 3 years.	8 9
42	Regulations	10
(1)	The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.	11 12 13 14
(2)	Without limiting subsection (1), the regulations may adopt, with or without modification, the provisions of the <i>Local Government Act 1993</i> and the regulations under that Act for the purposes of this Act.	15 16 17

Schedule 1 Savings, transitional and other provisions 1

Part 1 General 2

1 Regulations 3

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—
 - (a) a provision of this Act, or 6
 - (b) a provision amending this Act. 7
- (2) A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after the commencement. 8 9
- (3) A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after the commencement. 10 11
- (4) A savings or transitional provision made consequent on the commencement of a provision may take effect before the commencement but not before—
 - (a) for a provision of this Act—the date of assent to this Act, or 14
 - (b) for a provision amending this Act—the date of assent to the amending Act. 15
- (5) A savings or transitional provision taking effect before its publication on the NSW legislation website does not—
 - (a) affect the rights of a person existing before the publication in a way prejudicial to the person, or 18 19
 - (b) impose liabilities on a person for anything done or omitted to be done before the publication. 20 21
- (6) In this section—
person does not include the State or an authority of the State. 22 23

Part 2 Provisions consequent on enactment of this Act 24

2 Existing districts and entities 25

- (1) The regulations may declare that—
 - (a) an existing community improvement district, however described, is taken to be a CID under this Act, and 27 28
 - (b) an existing person is the CID entity for the existing community improvement district. 29 30
- (2) To avoid doubt, regulations under this section may adopt provisions of regulations made under this Act, section 17(c) relating to governance, operational and reporting requirements for CID entities, and apply the provisions to an existing person taken to be a CID entity under this section. 31 32 33 34
- (3) In this section—
existing means existing on the commencement of this section. 35 36

3 Pilot agreements 37

A funding agreement for a pilot CID, in force on the commencement of this section, entered into by a person or body within the Department of Transport for and on behalf of the Crown is taken to have instead been entered into by Authority. 38 39 40

4	Regulation and Subordinate Legislation Act 1989	1
(1)	Schedule 3 is taken to be and has effect as a regulation made by the Governor under this Act.	2 3
(2)	The <i>Subordinate Legislation Act 1989</i> , Part 2 does not apply to the regulation but applies to an amendment or repeal of the regulation.	4 5
(3)	For the <i>Subordinate Legislation Act 1989</i> , section 10, the regulation is taken to have been published on the day on which Schedule 3 commenced.	6 7
(4)	The <i>Interpretation Act 1987</i> , sections 39–41 do not apply to the regulation but apply to an amendment or repeal of the regulation.	8 9
(5)	Schedule 3 is repealed on the day after it commences.	10
	Note— The continued effect of the regulation is unaffected by the repeal of the schedule. See the <i>Interpretation Act 1987</i> , section 30.	11 12

Schedule 2 Amendment of State Debt Recovery Act 2018 No 11

Schedule 1 Referable debts

Insert at the end of the table—

Levies, fees and interest on unpaid levies under the <i>Community Improvement Districts Act 2025</i>	Agency head, however described, of the Authority to which the levies or fees are payable
--	--

1
2
3
4

Schedule 3	Community Improvement Districts Regulation	1
	2025	2
Part 1	Preliminary	3
1	Name of regulation	4
	This regulation is the <i>Community Improvement Districts Regulation 2025</i> .	5
2	Commencement	6
	This regulation commences on the day on which the <i>Community Improvement Districts Act 2025</i> , Schedule 3 commences.	7
		8
Part 2	Levies	9
3	CID levies	10
	A levy must be calculated by use of one of the following methods—	11
(a)	a proportional value method—where the levy is calculated as a proportion of parcel of land’s gross land value,	12
		13
(b)	a tiered method—where all parcels of land in a CID are sorted into two or more tiers, specified by the CID proposal, according to the parcel’s gross land value and the same levy is imposed on every parcel within the tier.	14
		15
		16
	Example— A CID proposal could specify four tiers with the following gross land value thresholds and amounts—	17
		18
(a)	for land valued at less than \$1,000,000—a \$500 levy,	19
(b)	for land valued at \$1,000,000 to \$2,000,000—a \$1,000 levy,	20
(c)	for land valued at \$2,000,000 to \$3,000,000—a \$1,500 levy,	21
(d)	for land valued at greater than \$3,000,000—a \$2,000 levy.	22

Schedule 4 Dictionary

	section 5	1
approved CID proposal	means a CID proposal approved by the Authority under Part 3, Division 3.	2
approved roll	for a CID proposal ballot, means the roll approved by the Authority for the ballot.	3
Authority	means Transport for NSW constituted under the <i>Transport Administration Act 1988</i> .	4
business land	in a CID, means rateable land in the CID that is categorised as business under the <i>Local Government Act 1993</i> .	5
business land owner	in a CID, means a person who is an owner of business land in the CID.	6
CID	means a community improvement district described in a CID proposal under Part 3.	7
CID business	in a CID, means a person who—	8
(a)	operates a business or commercial enterprise, other than a temporary business or commercial enterprise, on business land within the CID, and	9
(b)	has an ABN or ACN, and	10
(c)	is not a business land owner in the CID.	11
CID entity	means an incorporated association specified in an approved CID proposal as the CID entity for a CID.	12
CID Levies Fund	—see section 26.	13
CID proponent	means an incorporated association or an unincorporated association.	14
CID proposal	—see Part 3.	15
CID proposal ballot	—see section 11.	16
enrolled	in relation to a business land owner or a CID business, means enrolled on an approved roll for a ballot.	17
exercise	a function includes perform a duty.	18
function	includes a power, authority or duty.	19
government land	—see section 32.	20
government sector agency	has the same meaning as in the <i>Government Sector Employment Act 2013</i> .	21
gross land value	of land in a CID, means the value of the land without improvements as at the date of approval of the relevant CID proposal.	22
incorporated association	means an association within the meaning of the <i>Associations Incorporation Act 2009</i> .	23