

## LOCAL GOVERNMENT (RATING) AMENDMENT BILL 1989

NEW SOUTH WALES



### EXPLANATORY NOTE

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

The Valuation of Land (Rating) Amendment Bill 1989 is cognate with this Bill.

The object of this Bill is to amend the Local Government Act 1919:

- (a) to enable a differential general rate to be made for coal mines within the area of a council; and
  - (b) to increase the amount per tonne of output for the purpose of calculating the land value of coal mines for rating purposes and to provide a mechanism enabling that amount to be varied; and
  - (c) to enable a differential general rate to be made for residential land or non-residential land in a specified locality or localities; and
  - (d) to enable minimum rates to be specified for vacant land which is unsuitable for building on because it is or is liable to be affected by a coastal hazard; and
  - (e) to enable the Minister to declare a rate to be valid which would otherwise be invalid because of a minor and technical breach of certain provisions of the Principal Act,
- and to make other amendments relating to rates.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides that the proposed Act commences on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

**SCHEDULE 1 - AMENDMENTS**

**Differential general rates**

Schedule 1 (1) (a) and (c) make it clear that differential general rates may be made for residential or non-residential land (other than coal mines) in a specified town, village, centre of population or urban area or a specified portion or portions of a town, village, centre of population or urban area.

Schedule 1 (1) (f) empowers a council to make a differential general rate annually for all coal mines in the council's area.

Schedule 1 (1) (b), (d), (e), (g) and (h), (4) and (8) make amendments consequential on the amendments made by Schedule 1 (1) (a), (c) and (f).

Schedule 1 (2) requires a council to publish notice of its intention to make a differential general rate. Where a rate is to be made for residential or non-residential land that is a defined portion or portions of a town, village, centre of population or urban area, the council must state its reasons for making a differential rate for that portion or those portions.

Schedule 1 (3) requires the Minister's approval to be obtained for each differential rate for coal mines and repeals the requirement for Ministerial approval of differential general rates for non-residential land.

**Minimum rates**

Schedule 1 (5) enables a council to specify a lower minimum rate for vacant land which is unsuitable for building on because it is or is liable to be affected by a coastal hazard (vacant coastal hazard liable land) in the same way as a lower minimum rate may be specified for vacant flood liable land.

Schedule 1 (5) also enables a council to determine a higher minimum general rate than the prescribed minimum general rate where the rate for the previous year was higher than the prescribed minimum general rate and the rate determined does not exceed the amount of the minimum general rate for the previous year increased by the percentage by which the council is permitted to increase its revenue from general purpose rates.

Schedule 1 (6) extends the provisions of the Principal Act relating to the aggregation of parcels of land for rating purposes to vacant coastal hazard liable land in the same way as they apply to vacant flood liable land.

**Variation of revenue from general purpose rates**

Schedule 1 (7) enables the Minister to specify the percentage by which a specified council's revenue from general purpose rates for a specified year may be increased by instrument in writing given to the council rather than by order published in the Gazette, as is presently the case.

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**Validity of rates**

Schedule 1 (9) enables the Minister, by order published in the Gazette, to declare a rate to be valid which would otherwise, in the opinion of the Minister, be invalid because of a minor and technical breach of one or more of the provisions of sections 118 - 139A of the Principal Act.

**Land value of coal mine**

Schedule 1 (10) increases from 75 cents to \$3 (or such other amount as may be prescribed) the amount per tonne of coal on the output of a coal mine for the purposes of calculating the land value of a coal mine.

**Water, sewerage and drainage rates**

Schedule 1 (11) enables a council to specify a lower minimum water, sewerage or drainage rate for vacant coastal hazard liable land.

Schedule 1 (12) enables a council to exempt vacant coastal hazard liable land from water supply local rates and sewerage local rates.