



New South Wales

# Crown Lands Amendment (Special Purpose Leases) Bill 2009

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Crown Lands Act 1989* (the *principal Act*) to extend the provisions relating to the granting of special purpose leases to land within the Eastern and Central Division of New South Wales. The *Western and Crown Lands Amendment (Special Purpose Leases) Act 2008* inserted provisions into the principal Act to facilitate the granting of special purpose leases in relation to land within the Western Division of New South Wales.

Special purpose leases are able to co-exist with certain other tenures and allow for the establishment of renewable energy generators (such as wind farms) over land that is leased for other purposes (such as grazing purposes). While most of the land may remain available for such other purposes, any particular part of it (other than the site of a dwelling-house or other significant improvement) could become the site of a renewable energy generator. However, in the case of land that is already the subject of some other tenure, it is only possible to grant a special purpose lease with the consent of the holder of that tenure.

## Outline of provisions

**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 on the date of assent to the proposed Act.

**Clause 3** amends the principal Act to enable the Minister to declare any land within the Western Division or the Eastern and Central Division to be a development district for the purposes of the provisions relating to special purpose leases. The Act currently allows such a declaration only in respect of land within the Western Division. Such a declaration must designate an approved purpose for which a special purpose lease may be granted over land in a development district. Approved purposes include the construction and operation of facilities to harness energy and convert it into electricity and such other purposes as are approved by proclamation. Clause 3 also makes a consequential amendment.

First print



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New South Wales

# **Crown Lands Amendment (Special Purpose Leases) Bill 2009**

No. , 2009

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## **A Bill for**

An Act to amend the *Crown Lands Act 1989* in relation to the establishment of development districts and the granting of special purpose leases in the Eastern and Central Division.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Crown Lands Amendment (Special Purpose Leases) Act 2009</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Amendment of Crown Lands Act 1989 No 6</b>	7
(1) <b>Part 4, Division 3A, heading</b>	8
Omit “ <b>in the Western Division</b> ”.	9
(2) <b>Section 44B Development districts</b>	10
Insert “or the Eastern and Central Division” after “Western Division” in section 44B (1).	11 12