

#### Explanatory note

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

#### Overview of Bill

The object of this Bill is to give effect to certain Budget measures announced by the Treasurer in the Legislative Assembly on 11 November 2008, and to give effect to certain other related measures.

The Bill contains the following:

(a) amendments to the Duties Act 1997 to defer the abolition of certain duties, to increase flat-rate duties, and to grant a duty exemption to a vesting of land that occurs as a consequence of the termination of a strata scheme or similar scheme,

(b) amendments to the First Home Owner Grant Act 2000 to increase the amount of the first home owner grant, by giving effect to the first home owner boost scheme and the NSW new home buyers supplement scheme,

(c) amendments to land tax legislation to provide for a new premium rate of land tax on land holdings with a taxable value of more than \$2,250,000, and to provide for the annual adjustment of the premium rate threshold,

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(d) amendments to the Children and Young Persons (Care and Protection) Act 1998 and the Children and Young Persons (Care and Protection—Child Employment) Regulation 2005:

(i) to enable fees to be charged in connection with the administration of the children's service licensing scheme and the out of school hours care services registration scheme (including the waiver, reduction, deferral and refund of any such fees), and

(ii) to increase fees for an application for an authority to employ children or for an exemption from the requirement to hold such an authority, so that the fees apply on a cost recovery basis,

(e) amendments to the Civil Procedure Regulation 2005 to increase the daily fees payable for hearings of civil proceedings in the Supreme Court and to provide that fees are payable from the second day of hearings (rather than the eleventh day),

(f) amendments to emergency services legislation to introduce a scheme for funding the State Emergency Service, from contributions by insurance companies, local government and the State Government, consistent with the scheme applicable to Fire Brigades and to make the schemes consistent,

(g) amendments to the Human Tissue Act 1983 to enable the Director-General of the Department of Health to recover the costs incurred by the State in connection with the supply of blood to the private health sector by suppliers such as the Australian Red Cross Society,

(h) amendments to the Management of Waters and Waterside Lands Regulations—N.S.W. to increase the annual fees for mooring licences in the Sydney Harbour (Eastern) locality,

(i) amendments to the Mining Regulation 2003 to increase the base rate of royalty payable for coal,

(j) amendments to the Parking Space Levy Act 1992 to increase the parking space levy, from the 2009-2010 financial year,

(k) amendments to the Growth Centres (Development Corporations) Act 1974 to abolish the Growth Centres Commission and consequential and other minor amendments to other planning legislation,

(l) amendments to the Private Hospitals Regulation 1996 and the Day Procedure Centres Regulation 1996 to increase licence fees for private hospitals and day

procedure centres, so that application fees for licences, annual licence fees and application fees for the transfer of licences are charged on a full cost recovery basis,

(m) amendments to the Real Property Regulation 2008 to introduce new fees in relation to certain dealings in land, and to increase certain existing fees,

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(n) amendments to the Victims Support and Rehabilitation Act 1996 to double the compensation levies payable by convicted offenders and to provide for the annual adjustments of those levies on the basis of increases in the consumer price index,

(o) amendments to the Protection of the Environment Operations (Waste) Regulation 2005 and related legislation:

(i) to increase the waste contributions currently payable by occupiers of licensed waste facilities in respect of certain waste received or generated in the Sydney metropolitan area and other regulated areas, and provide for contributions to be payable in respect of such waste received or generated in certain regional areas, and

(ii) to extend the scope of the Waste Performance Improvement Scheme so that it applies to local councils in certain regional areas and encompasses broader environmental sustainability objectives, and

(iii) to provide for payment of a special levy by occupiers of licensed waste facilities used to dispose of coal washery rejects only.

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.

Clause 3 is a formal provision that gives effect to the amendments to the Acts and instruments set out in Schedules 1–15.

Clause 4 provides that explanatory material does not form part of the proposed Act.

Clause 5 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the Interpretation Act 1987 provides that the repeal of an amending Act does not affect the amendments made by that Act.