



New South Wales

# Emergency Services Levy Amendment (Land Classification) Bill 2024

## 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 *Emergency Services Levy Act 2017* to—

- (a) require local councils, for the purposes of evaluating and implementing reforms to the way in which emergency services are funded, to—
  - (i) perform a preliminary classification of all parcels of land in the area of the local council, and
  - (ii) identify if the parcel of land is owned by a person belonging to a class of persons specified in guidelines issued by the Treasurer, and
  - (iii) give the information to the Chief Commissioner of State Revenue (the **Chief Commissioner**), and
- (b) require the Chief Commissioner to keep a register of the information, and
- (c) enable the information to be given to certain persons and used for the purposes of evaluating and implementing reforms to the way in which emergency services are funded, and
- (d) enable the Chief Commissioner to monitor local councils' compliance with the new requirements, and
- (e) enable the Treasurer to issue guidelines for the purposes of the new requirements.

## 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.

## **Schedule 1      Amendment of Emergency Services Levy Act 2017 No 32**

**Schedule 1[1]** creates a proposed part in the *Emergency Services Levy Act 2017* dealing with emergency service funding reform and inserts definitions to be used in the proposed part. **Schedule 1[3]** makes a consequential amendment.

**Schedule 1[2]** inserts proposed sections 47A–47E into the proposed part.

Proposed section 47A requires a local council to—

- (a) perform a preliminary classification of all parcels of land in the area of the local council, and
- (b) identify if the parcel of land is owned by a person belonging to a class of persons specified in guidelines issued by the Treasurer.

Proposed section 47B requires a local council to give the classification and ownership information to the Chief Commissioner. The Chief Commissioner may—

- (a) require the local council to give additional information, and
- (b) require the general manager or the public officer of a local council to certify the accuracy and completeness of the information.

Proposed section 47C requires the Chief Commissioner to keep a register of the information given. Information on the register may be given to a relevant party and may be used by the relevant party for evaluating and implementing reforms to the way in which emergency services are funded. The following are relevant parties—

- (a) the Secretary of the Treasury,
- (b) a person employed in the Treasury,
- (c) the Valuer-General,
- (d) a person employed in Valuation NSW,
- (e) a local council,
- (f) a person employed by a local council.

Proposed section 47D requires the Chief Commissioner to monitor whether local councils are complying with requirements under the proposed part. The Chief Commissioner is authorised to exercise functions to ensure compliance, including by imposing an administrative penalty of up to \$2,200 on a local council for a failure to comply.

Proposed section 47E enables the Treasurer to issue guidelines for the purposes of the proposed part.