

Rural Communities Impacts Bill 2004

Explanatory note

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

Overview of Bill

The object of this Bill is to require Ministers to consider the likely impact of certain legislation and other government proposals on rural communities.

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 on the date of assent.

Clause 3 sets out the scope of the proposed Act by defining *rural community* as being the part of the State that is outside the Sydney, Newcastle and Wollongong metropolitan areas.

Clause 4 defines other terms used in the proposed Act.

Part 2 Requirements of rural communities impact statements

Clause 5 provides that a rural communities impact statement is not valid for the purposes of the proposed Act unless it is written by the Rural Communities Impact Assessment Unit in the Cabinet Office.

Clause 6 specifies some of the matters that must be covered by a rural communities impact statement.

Clause 7 makes it clear that additional matters may be included in a rural communities impact statement.

Clause 8 provides that a rural communities impact statement may (if appropriate) merely state that the relevant Bill, statutory rule, environmental planning instrument or decision has “no likely impact” on the rural community.

Part 3 Assessment of likely impact of proposed Acts on rural communities

Clause 9 provides that a Minister or Government Member who intends to introduce a Bill into Parliament must ensure, before the Bill is considered by the Cabinet, that a rural communities impact statement has been prepared which provides information about the likely impact of the proposed Act on the rural community and that the Minister or Member has given consideration to that likely impact.

Clause 10 requires the tabling in Parliament of a rural communities impact statement in relation to a Bill before the Bill is read a second time.

Part 4 Assessment of likely impact of proposed statutory rules on rural communities

Clause 11 specifies that the proposed Part imposes obligations on the Minister administering the Act under which a statutory rule is or is proposed to be made.

Clause 12 requires a Minister who intends to submit a proposed statutory rule to the Governor to ensure, before the proposed statutory rule is submitted, that a rural communities impact statement has been prepared in relation to the statutory rule and that the Minister has given consideration to it.

Clause 13 requires a copy of the rural communities impact statement for a statutory rule to be included with any regulatory impact statement required in relation to the statutory rule.

Clause 14 requires the tabling in Parliament of a rural communities impact statement.

Clause 15 requires notice to be given to the public as to where a rural

communities impact statement can be accessed.

Part 5 Assessment of likely impact of proposed environmental planning instruments on rural communities

Clause 16 requires a Minister who intends to recommend the making of a State environmental planning policy to the Governor to ensure, before the proposed policy is recommended, that a rural communities impact statement has been prepared in relation to the policy and has been publicly exhibited and that the Minister has given consideration to it.

Clause 17 requires a Minister who intends to make a regional environmental plan to ensure, before the proposed plan is made, that a rural communities impact statement has been prepared in relation to the plan and has been publicly exhibited and that the Minister has given consideration to it.

Clause 18 requires a Minister who intends to make a local environmental plan to ensure, before the proposed plan is made, that a rural communities impact statement has been prepared in relation to the plan and has been publicly exhibited and that the Minister has given consideration to it.

Part 6 Assessment of likely impact of proposed Cabinet decisions on rural communities

Clause 19 requires rural communities impact statements to be prepared in relation to certain decisions before the Cabinet and to be distributed to Cabinet Ministers and considered by them before any decision is made.

Clause 20 makes it clear that the proposed obligations extend to the Cabinet's consideration of Bills, proposed statutory rules and proposed environmental planning instruments.

Part 7 Rural Communities Impact Assessment Unit

Clause 21 establishes the Rural Communities Impact Assessment Unit in the Cabinet Office.

Clause 22 imposes a requirement that there be in each Department at least one person whose duties involve, or include, liaising with the Unit.

Clause 23 requires the Unit to maintain a website on which rural communities impact statements are to be posted.

Part 8 Miscellaneous

Clause 24 provides for the Premier to certify that the requirements of the proposed Act do not have to be complied with, for instance, in an emergency.

Clause 25 requires the Speaker of the Legislative Assembly and the President of the Legislative Council to report on non-compliance with tabling requirements under the proposed Act.