



New South Wales

Community Improvement Districts Act 2025 No 25

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New South Wales

Community Improvement Districts Act 2025 No 25

Act No 25, 2025

An Act to provide for the establishment and operation of community improvement districts; to provide for the recognition and functions of community improvement district entities; and for other purposes. [Assented to 22 May 2025]

The Legislature of New South Wales enacts—

Part 1 Preliminary

1 Name of Act

This Act is the *Community Improvement Districts Act 2025*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Application of Act

This Act does not apply in relation to land within a local government area until the Minister, by order published in the Gazette, declares the area to be an area subject to this Act.

4 Objects

The objects of this Act are as follows—

- (a) to provide for the establishment and operation of community improvement districts to stimulate economic growth and community development,
- (b) to facilitate and assist in the delivery of services, projects and activities by CID entities in community improvement districts funded by CID levies,
- (c) to support the NSW Government's and local councils' placemaking and economic development policies,
- (d) to regulate CID entities, CID proposals and CID proposal ballots.

5 Definitions

The dictionary in Schedule 4 defines certain words and expressions used in this Act.

Note— The *Interpretation Act 1987* contains definitions and other provisions that affect the interpretation and application of this Act.

6 Relationship with other Acts

- (1) Nothing in this Act alters the rights, liabilities or obligations of a council under the *Local Government Act 1993*.
- (2) Nothing in this Act affects the operation of the *Environmental Planning and Assessment Act 1979*.
- (3) To avoid doubt, a levy under this Act is a levy for the purposes of the *Retail Leases Act 1994*, section 12A(3).

Part 2 Administration

7 Functions of Authority under Act

The functions of the Authority are as follows—

- (a) to accept or reject CID proposals,
- (b) to determine whether a CID proposal has met the requirements under this Act for a CID proposal ballot to take place,
- (c) to conduct CID proposal ballots or cause CID proposal ballots to be conducted,
- (d) to determine whether to approve or reject CID proposals after a CID ballot has taken place,
- (e) to regulate and oversee the operation of CID entities,
- (f) to impose, collect and distribute CID levies,
- (g) to enter into contracts and other arrangements with CID entities and other persons,
- (h) to terminate CID levies or to prohibit services, projects and activities under an approved CID proposal in accordance with the regulations,
- (i) to report to the Minister on matters related to CIDs as prescribed by the regulations,
- (j) with the approval of the Minister, to make and administer grants to support the development and operation of CIDs in the State,
- (k) to support the development of CIDs in the State through education and training and other information sharing and capacity building activities,
- (l) other related functions as necessary to give effect to the objects of this Act.

8 Small Business Advisory Panel

- (1) The Authority must establish a Small Business Advisory Panel.
- (2) The membership of the panel must be determined by the Authority, but must include the following persons—
 - (a) the Small Business Commissioner,
 - (b) at least one member nominated by the Council of Small Business Organisations Australia Ltd.
- (3) The function of the panel is to advise the Authority on matters concerning small businesses' relationship with CIDs.
- (4) The procedure of the panel is to be determined by the Authority or, subject to the determination by the Authority, by the panel itself.

Part 3 Preparation and approval of CID proposals

Division 1 CID proposals

9 Making of CID proposals

- (1) A CID proponent may make a CID proposal to the Authority for the CID.
- (2) A **CID proposal** is a proposal to impose a levy on certain business land owners within a CID to fund specified services, activities or projects in the CID.
- (3) A CID proposal must specify the following—
 - (a) the proposed boundaries of the CID,
 - (b) details about the proposed CID entity for the CID, and if not currently incorporated, details about when the proposed CID entity will be incorporated,
 - (c) details about the proposed levy to fund the services, activities or projects in the CID proposal,
 - (d) information about how the proposed levy is to be calculated,
Note— A levy must not be calculated by reference to the production, manufacture, sale, distribution or consumption of goods—see section 22(2).
 - (e) the businesses, or classes of businesses, if any, proposed to be levy exempt,
 - (f) whether there is to be a levy-free threshold amount and, if so, the gross land value amount of the threshold,
 - (g) details about the expected budget of the proposed CID entity,
 - (h) information about proposed or possible services, activities or projects that could be undertaken in the CID by the CID entity,
 - (i) a list of the persons who are likely to be entitled to vote in the CID proposal ballot required under Division 2, prepared to the best of the CID proponent's knowledge, information and belief.
- (4) A CID proposal may specify the services, activities or projects proposed to be undertaken in the CID including the following—
 - (a) events, marketing and promotions services and activities to activate and revitalise places,
 - (b) safety and security services, cleaning services and environmental and amenity improvements,
 - (c) data analysis and market research,
 - (d) activities and projects to improve access, mobility and connectivity within a CID,
 - (e) activities to help attract new businesses into the CID, including activities to fill vacant business premises,
 - (f) services, activities and projects to support businesses and residents of the CID in achieving net zero outcomes and participating in circular economy activities and projects,
 - (g) community wealth building activities,
 - (h) other similar services, activities or projects.
- (5) A CID proposal must—
 - (a) include other documents and information prescribed by the regulations, and
 - (b) comply with other requirements of the Authority published in the Gazette from time to time, and

- (c) comply with this section and other requirements set out by the regulations.
- (6) To avoid doubt, the services, activities or projects proposed to be undertaken in the CID may be undertaken in or in relation to public or private land within the proposed CID.
- (7) The regulations may specify matters that must not be included in a CID proposal.

10 Community consultation on CID proposals

- (1) Before a CID proposal is accepted by the Authority, the CID proponent must consult with the following about the CID proponent's plan to make a CID proposal—
 - (a) each local council whose area is within the boundaries of the CID,
 - (b) the community of the CID, including—
 - (i) residents of the CID, and
 - (ii) business land owners in the CID, and
 - (iii) CID businesses in the CID,
 - (c) other persons or bodies prescribed by the regulations.
- (2) The CID proponent must prepare a draft CID proposal as part of the consultation.
- (3) The CID proponent must prepare a report on the outcome of the consultation and give the report to the Authority at the time the CID proponent makes the CID proposal to the Authority.
- (4) The Authority must make the report publicly available in the way prescribed by the regulations.
- (5) To avoid doubt, the CID proponent may, after undertaking consultation, modify a CID proposal before the CID proposal is made to the Authority.
- (6) The regulations may deal with matters relating to the consultation.

Division 2 CID proposal ballot

11 Acceptance of CID proposal

- (1) The Authority must, if satisfied that a CID proposal has been properly made under Division 1, accept the CID proposal.
- (2) Despite subsection (1), the Authority may reject a CID proposal—
 - (a) if, in the Authority's opinion, the CID proposal may unreasonably exclude members of the public from spaces or areas where the public otherwise have a right of access, or
 - (b) if, having considered the report referred to in section 10(3), the Authority believes—
 - (i) there has been inadequate consultation on the CID proposal, or
 - (ii) there is no reasonable prospect that each local council whose area is within the boundaries of the CID will support the CID proposal, as referred to in section 14, or
 - (c) if, in the Authority's opinion, there is not a reasonable prospect of the CID proposal achieving the required support in a CID proposal ballot,
Example— The Authority believes there is insufficient evidence provided of community or council support for the CID proposal.
 - (d) in circumstances prescribed by the regulations.

12 Dealing with CID proposal

- (1) The Authority must conduct a ballot, or cause a ballot to be conducted on its behalf, (a **CID proposal ballot**) to ascertain if the CID proposal is supported by—
 - (a) the business land owners in the CID, and
 - (b) the CID businesses in the CID.
- (2) For subsection (1), the Authority may enter an agreement or other arrangement with a person, including the New South Wales Electoral Commissioner, to conduct a CID proposal ballot on the Authority's behalf.
- (3) To avoid doubt, the New South Wales Electoral Commissioner may conduct a CID proposal ballot on the Authority's behalf under the *Electoral Act 2017*, section 13 as if the reference in the section to an election were a reference to a CID proposal ballot under this section.

13 CID proposal ballot

- (1) A CID proposal ballot is to be conducted in accordance with the regulations.
- (2) However, in a CID proposal ballot—
 - (a) the voters in a CID proposal ballot are—
 - (i) the business land owners in the CID, and
 - (ii) the CID businesses in the CID, and
 - (b) only one business land owner may vote for each parcel of land within the boundaries of the CID, and
Note— There is only one vote per parcel of land. If land is owned by 3 persons, only one person may vote.
 - (c) a business land owner may vote only once even if the business land owner owns more than one parcel of land in the CID, and
Note— If a person owns 3 parcels of land, the person may only vote once.
 - (d) a CID business may vote only once even if the CID business operates on more than one parcel of land in the CID or operates more than one business or enterprise in the CID.
- (3) Without limiting subsection (1), the regulations under this section may—
 - (a) specify a procedure under which the CID proponent submits a list of business land owners and CID businesses for approval by the Authority as the approved roll for the CID proposal ballot, and
 - (b) require that only business land owners and CID businesses listed on the approved roll may vote in the CID proposal ballot, unless the business land owner or CID business is making a provisional vote in accordance with the regulation, and
 - (c) adopt, with modifications, the provisions of *Local Government Act 1993* and the regulations under that Act dealing with council polls for the purpose of regulating the conduct of CID proposal ballots.
- (4) A CID proposal is supported by the district voters of the CID if the following requirements are met—
 - (a) a majority of votes cast by business land owners are in favour of the CID proposal where at least 25% of enrolled business land owners in the CID voted in the CID proposal ballot,
 - (b) a two-thirds majority of votes cast by CID businesses are in favour of the CID proposal where at least 25% of enrolled CID businesses in the CID voted in the CID proposal ballot.

- (5) A failure to comply with the regulations under this section in a trivial or insubstantial way does not invalidate a CID proposal ballot.
- (6) The regulations may specify the following—
 - (a) how a CID proposal is to be made publicly available by the Authority,
 - (b) fees to be paid by a CID proponent to the Authority if a CID proposal ballot is to be conducted.

Division 3 Approval of CID proposal

14 Local council support

- (1) If a CID proposal achieves the required support in a CID proposal ballot, the Authority must send a copy of the proposal, and a report on the result of the ballot, to each local council whose area is within the boundaries of the CID with a request that the local council notify the Authority whether the local council supports the proposal or not.
- (2) A local council must give the notice, with the reasons for the local council's decision, to the Authority within the period specified by the Authority, being a period of not less than 60 days.
- (3) Nothing in subsections (1) and (2) prevents a local council that has, in accordance with the subsections, notified the Authority that the local council does not support a CID proposal from rescinding its decision and giving a further notice to the Authority that the local council now supports the CID proposal.
- (4) The regulations may specify the way in which a local council must—
 - (a) make the decision on whether to support a CID proposal or not, and
 - (b) notify the Authority whether the local council supports the CID proposal or not, and
 - (c) give the reasons for the decision.

Example— A regulation may provide that the local council must notify the Authority about its decision by email to a specified address.

15 Approval of CID proposal after CID ballot

- (1) If a CID proposal achieves the required support in a CID proposal ballot, the Authority must approve or reject the CID proposal.
- (2) If a CID proposal does not achieve the required support in a CID proposal ballot, the Authority must reject the CID proposal.
- (3) The Authority must—
 - (a) in making a decision under subsection (1), consider the matters prescribed by the regulations, if any, and
 - (b) unless each local council whose area is within the boundaries of the CID has informed the Authority that it supports the CID proposal—reject the CID proposal, and
 - (c) reject a CID proposal in the circumstances prescribed by the regulations.
- (4) The Authority must not approve a CID proposal unless the Authority is satisfied the CID entity for the CID proposal complies with the requirements of the Act and the regulations.
- (5) The Authority must publish a copy of an approval of the CID proposal—
 - (a) in the Gazette, and

- (b) on the Authority's website.
- (6) The copy of the approval must include the following information—
 - (a) the name of the CID,
 - (b) the boundaries of the CID,
 - (c) details about the CID entity for the CID,
 - (d) details about the levy to fund the services, activities or projects in the approved CID proposal,
 - (e) information about how the levy is to be calculated.
- (7) An approval expires after the period of 5 years or another period prescribed by the regulations.
- (8) The regulations may deal with matters that the Authority must consider before making a decision under subsection (1), including the outcome of consultations that the CID entity may be required to undertake.

16 Variation of approved CID proposal

- (1) This Act applies to the following variations of an approved CID proposal in the same way as it applies to the making of a CID proposal—
 - (a) an alteration to the boundaries of the CID,
 - (b) a change to the levy amount or method of its calculation,
 - (c) a variation of a kind prescribed by the regulations.
- (2) The regulations may deal with variations to an approved CID proposal, including by modifying the application of the provisions of this Act to a proposal for a variation.

Division 4 CID entities

17 Structure and membership of CID entities

- (1) A CID entity must be an incorporated association.
- (2) The CID entity's constitution must provide that the following are eligible for free membership of the CID entity—
 - (a) the business land owners in the CID,
 - (b) the CID businesses in the CID.
- (3) The CID entity's constitution must provide that the following are not eligible for membership of the CID entity—
 - (a) a member of Parliament,
 - (b) a mayor or councillor of a local council,
 - (c) an employee of a government sector agency,
 - (d) an officer, employee or agent of a local council,
 - (e) another person of a class prescribed by the regulations.

18 Regulations about CID entities

The regulations may deal with matters relating to CID entities, including but not limited to the following—

- (a) the classes of incorporated associations that may be CID entities,
- (b) matters that CID entities' constitutions must include or provide for,

- (c) governance, operational and reporting requirements CID entities must comply with,
- (d) consultation that CID entities must undertake in relation to CID proposals, services, activities or projects the CID entities provide, undertake or arrange,
- (e) requirements for CID entities to provide mechanisms for community representation, feedback and engagement,
- (f) matters consequential on the insolvency, liquidation or dissolution of a CID entity,
- (g) matters concerning the delivery of approved CID proposals by CID entities.

Division 5 Miscellaneous

19 Operation of CID entities

The regulations may specify the services, activities or projects that must not be undertaken by a CID entity in a CID.

20 Further CID proposals for CIDs after expiry

Within one year before or at any time after a CID proposal expires, another CID proposal for the CID may be made by a CID proponent and approved by the Authority in accordance with the requirements of this part, including the requirement for the CID proposal to achieve the required support in a CID proposal ballot.

21 Termination of CID proposal for non-compliance

- (1) Without limiting section 18(f), the Authority may terminate a CID proposal if the Authority is satisfied the CID entity—
 - (a) is not operational, or
 - (b) has failed to comply with this Act or the regulations or with the *Associations Incorporation Act 2009* or the regulations under that Act.
- (2) The regulations may deal with matters consequential on a termination under this section.

Part 4 Finance

Division 1 Levies

22 Authority may impose levies

- (1) The Authority may, by order published in the Gazette, impose a levy on land within a CID to fund an approved CID proposal if the land is rateable land categorised as business under the *Local Government Act 1993*.
Note— The Authority may only approve a CID proposal that has achieved the required support of district voters in a CID proposal ballot.
- (2) A levy must not be calculated by reference to the production, manufacture, sale, distribution or consumption of goods.
- (3) The Minister may, by order published in the Gazette, determine a maximum levy for land within a CID, which may be a specified amount or an amount calculated in a specified way for land.
- (4) A levy must be in accordance with the approved CID proposal and must not exceed the maximum levy, if any.
- (5) In imposing a levy, the Authority must consider the guidelines issued by the Minister and published in the Gazette, if any.
- (6) The regulations may deal with the imposition and collection of levies, including the determination and calculation of levy amounts.
- (7) A levy must be imposed by reference to value of rateable land as determined by the Valuer-General under the *Valuation of Land Act 1916*.
- (8) The Authority may refuse to impose a levy to fund an approved CID proposal if the Authority is satisfied or suspects that the CID entity—
 - (a) is not operational, or
 - (b) has failed to comply with this Act or the regulations or with the *Associations Incorporation Act 2009* or the regulations under that Act.
- (9) The following land is exempt from levies under this Act—
 - (a) land that is exempt from rates under the *Local Government Act 1993*, section 555,
 - (b) land with a gross land value below the levy-free threshold amount specified in the approved CID proposal, if any,
 - (c) land used or occupied by a business, or a business of a class, identified in the approved CID proposal as levy exempt businesses.
- (10) Without limiting subsections (6) and (9), the regulations may exempt persons, or classes of persons, from liability to pay levies.

23 Imposition of levies

- (1) The Authority imposes a levy on a landowner by causing notice—
 - (a) to be served on the landowner, or
 - (b) to be published in a way approved by the Minister having regard to the object of bringing notices of that kind to the attention of persons liable to pay the levy.
- (2) The notice must indicate—
 - (a) the levy and, if appropriate, the circumstances in which the levy becomes payable, and

- (b) the date or dates on which, or the period or periods at the end of which, the levy falls due, and
 - (c) the CID to be funded by the levy, and
 - (d) how information about the CID and its services, activities and projects may be accessed.
- (3) The levy falls due in accordance with the terms of the notice, except that no part of it falls due before the expiry of 14 days after the notice is published.
- (4) The Authority may determine not to collect a levy the Authority has imposed if the Authority is satisfied or suspects that the CID entity—
 - (a) is not operational, or
 - (b) has failed to comply with this Act or the regulations or with the *Associations Incorporation Act 2009* or the regulations under that Act.

24 Levy is a charge on land

- (1) A levy imposed by the Authority for a parcel of land, including interest accrued on unpaid levies, and costs awarded to the Authority by a court in proceedings to recover the levy, are a charge on the land.
- (2) The charge ranks on an equal footing with a charge on the land under any other Act.
- (3) The charge does not affect a bona fide purchaser for value who made due inquiry at the time of purchase but had no notice of the liability.
- (4) The provisions of this section have effect despite anything contained in the *Real Property Act 1900*, section 42.
- (5) Nothing in this Act prevents a landowner recovering an amount of a levy from a lessee of the land.
Note— The terms of a lease of land may specify whether the lessor or lessee is liable to pay a levy.

25 Interest on unpaid levies

- (1) The Authority may charge interest on any levies imposed by the Authority that are due but unpaid.
- (2) The maximum rate at which interest may be charged under this section is the rate chargeable under the *Civil Procedure Act 2005*, section 101 in relation to unpaid judgment debts.

Division 2 Recovery of unpaid levies

26 Regulations relating to recovery of unpaid levies

- (1) The regulations may deal with the recovery of unpaid levies.
- (2) For subsection (1), the regulations may apply, adopt or incorporate provisions of the *Local Government Act 1993* and the regulations under that Act as in force at a particular time or from time to time.

Division 3 Waiver or reduction of levy

27 Authority may waive or reduce levy where serious hardship

- (1) The Authority may waive or reduce the levy payable by a landowner if the landowner has demonstrated to the Authority that payment of the levy would result in serious hardship.

- (2) If the Authority decides to waive or reduce the levy payable by a person, the Authority must give notice of that decision to the relevant CID entity.
- (3) The Authority must give effect to that decision by—
 - (a) waiving or reducing the levy payable, as the case requires, and
 - (b) writing off the amount that is waived or the amount of the reduction.
- (4) Accrued interest on the levy may be waived or reduced under this section in the same way as the levy.
- (5) Accordingly, a reference in this section to the levy includes a reference to accrued interest on the levy.

Division 4 CID Levies Fund

28 Establishment of CID Levies Fund

- (1) There is to be established in the Special Deposits Account a CID Levies Fund (the ***CID Levies Fund***).
- (2) The Authority is the administrator of the CID Levies Fund.
- (3) The purpose of the CID Levies Fund is to hold money received by the Authority on behalf of CID entities before the money is distributed to the CID entities for the purposes of approved CID proposals.

29 Payments into CID Levies Fund

- (1) There is payable into the CID Levies Fund—
 - (a) all levies, fees, charges and other money received by the Authority in relation to a CID, and
 - (b) all interest received for the investment of money belonging to the CID Levies Fund, and
 - (c) all money directed to be paid into the CID Levies Fund by or under this or any other Act or law, and
 - (d) money voluntarily paid into the CID Levies Fund by an owner of government land.
- (2) The Authority must keep records of the amounts paid into the CID Levies Fund in relation to each CID.

30 Payments from CID Levies Fund

- (1) There is payable from the CID Levies Fund—
 - (a) money paid on account of a CID, or in connection with a CID, including in connection with an approved CID proposal for a CID, and
 - (b) money directed to be paid from the fund by or under this or any other Act or law.
- (2) Money must be paid out of the CID Levies Fund in accordance with the directions of the Minister.
- (3) Money paid into the CID Levies Fund in relation to a CID, including levies collected to fund an approved CID proposal, must, subject to this section, be paid out of the fund to the relevant CID entity to meet the expenditure in connection with the approved CID proposal.
- (4) Despite subsections (1)(a) and (3), the Authority may withhold money from a CID entity if the Authority is satisfied or suspects the CID entity—

- (a) is not operational, or
 - (b) has failed to comply with this Act or the regulations or with the *Associations Incorporation Act 2009* or the regulations under that Act.
- (5) Nothing in subsections (1)(a) and (3) requires money to be paid to a CID entity if the Authority is required or entitled to withhold money under the terms of a contract or other arrangement with the CID entity.

31 Investment

The Authority may invest money in the CID Levies Fund—

- (a) if the Authority is a GSF agency for the *Government Sector Finance Act 2018*, Part 6—in any way that the Authority is permitted to invest money under that part, or
- (b) if the Authority is not a GSF agency for the *Government Sector Finance Act 2018*, Part 6—in accordance with the *Trustee Act 1925* or in any other way approved by the Minister with the concurrence of the Treasurer.

32 CID entity ceases operating

The regulations may deal with circumstances where a CID entity ceases operating before all funds collected for the relevant approved CID proposal have been expended, including dealing with unspent levies.

Part 5 Miscellaneous

33 Application of Act to government land

- (1) This Act does not apply to the following—
 - (a) government land,
 - (b) the owners of government land,
 - (c) a tenant of, or business operating on, government land.
- (2) Despite subsection (1), if, before a CID proposal is accepted by the Authority under section 11, an owner of government land gives the Authority written notice in a way approved by the Authority, that the owner wishes the Act to apply to all or a specified part of the owner's land, this Act applies to the land or the specified part of the land.
- (3) The owner of government land must give a copy of the notice to any lessee of the land to which the notice applies, other than a lessee that is a government sector agency.
- (4) To avoid doubt, the notice—
 - (a) cannot be revoked by the owner of government land, and
 - (b) continues in effect until the expiry or termination of the CID proposal.
- (5) Nothing in subsection (1) prevents an owner of government land voluntarily paying an amount into the CID Levies Fund for an approved CID proposal.

34 Meaning of “government land”

- (1) Land is *government land* if—
 - (a) the land is owned by the Commonwealth, or
 - (b) the land is owned by the Crown, or
 - (c) the land is owned by a State owned corporation, or
 - (d) the land is owned by a local council, or
 - (e) the land is declared by the regulations to be government land.
- (2) The regulations may declare land referred to in subsection (1)(b)–(d) is not government land.
- (3) A provision of a regulation made under this section may specify the date on and from which the provision takes effect for this section.

35 Delegation

- (1) The Minister may delegate the exercise of a function of the Minister under this Act, other than this power of delegation, to—
 - (a) a person employed by the Authority or a member of staff of the Authority, or
 - (b) a person, or a class of persons, authorised for the purposes of this section by the regulations.
- (2) The Authority may delegate the exercise of a function of the Authority under this Act, other than this power of delegation, to—
 - (a) a person employed by the Authority or a member of staff of the Authority, or
 - (b) a head of a government sector agency within the meaning of the *Government Sector Employment Act 2013*, or
 - (c) a local council, or

- (d) a person, or a class of persons, authorised for the purposes of this section by the regulations.
- (3) A delegate may sub-delegate to an authorised person a function delegated by the Authority if the delegate is authorised in writing to do so by the Authority.
- (4) In this section—
authorised person means a person of a class prescribed by the regulations.

36 Power to require information and documents from local councils and government sector agencies

- (1) For this Act, the Authority may, by written notice given to a local council or the head of a government sector agency, require the local council or government sector agency to do either of the following within the period stated in the notice, being not less than 21 days—
 - (a) give the Authority information described in the notice,
 - (b) give the Authority a document described in the notice that is in the person's custody or control.
- (2) A local council is not required to give the Authority information or a document in circumstances prescribed by the regulations.
- (3) Information or a document given to the Authority under subsection (1) may, for this Act, be used or disclosed—
 - (a) by the Authority, including to a CID entity or a CID proponent, and
 - (b) by a CID entity or a CID proponent.
- (4) To avoid doubt, information or a document is used or disclosed for this Act if it is used or disclosed in relation to the making of a CID proposal or a CID proposal ballot.
- (5) In this section—
head, of a government sector agency, has the same meaning as in the *Government Sector Employment Act 2013*.

37 Power to require information and documents from CID entities

- (1) For this Act, the Authority may, by written notice given to a CID entity, or an officer or employee of a CID entity, require the CID entity, officer or employee to do either of the following within the period stated in the notice, being not less than 21 days—
 - (a) give the Authority information described in the notice,
 - (b) give the Authority a document described in the notice that is in the person's custody or control.
- (2) To avoid doubt, information or a document may be requested under subsection (1) only if the information or document is reasonably necessary for the administration of this Act.
- (3) This section does not limit a privilege a person or body has under another Act or another law.
- (4) The person must comply with the notice unless the person has a reasonable excuse.
Maximum penalty—
 - (a) for an individual—20 penalty units, or
 - (b) otherwise—100 penalty units.

38 Service of documents

- (1) A document authorised or required by this Act or the regulations to be served on any person may be served by the following methods—
 - (a) for an individual—by personal delivery to the person,
 - (b) by post to the address specified by the person for the service of documents of that kind,
 - (c) for an individual who has not specified such an address—by post to the residential or business address of the person last known to the person serving the document,
 - (d) for a corporation—by post to the registered office or any other office of the corporation or by leaving it at any such office with a person apparently over 16 years of age,
 - (e) by email to an email address specified by the person for the service of documents of that kind,
 - (f) by any other method authorised by the regulations for the service of documents of that kind.
- (2) Nothing in this section affects the operation of a provision of a law or of the rules of a court authorising a document to be served on a person or the Authority by another method.
- (3) In this section, *serve* includes give or send.

39 Nature of proceedings for offences

Proceedings for an offence under this Act or the regulations may be dealt with summarily before the Local Court.

40 Disclosure of information

A person must not disclose information obtained in connection with the administration or execution of this Act unless the disclosure is made—

- (a) with the consent of the person from whom the information was obtained, or
- (b) in connection with the administration or execution of this Act, or
- (c) for the purposes of legal proceedings arising out of this Act or of a report of the proceedings, or
- (d) in accordance with a requirement imposed under the *Ombudsman Act 1974*, or
- (e) with other lawful excuse.

Maximum penalty—

- (a) for an individual—20 penalty units, or
- (b) otherwise—100 penalty units.

41 Regulations may prescribe decisions that are administratively reviewable by Civil and Administrative Tribunal

- (1) The regulations may provide for applications to be made to the Civil and Administrative Tribunal for the administrative review under the *Administrative Decisions Review Act 1997* of decisions made under this Act or the regulations of a kind prescribed by the regulations.
- (2) The Minister must not recommend the making of a regulation containing provisions for subsection (1) unless the Minister certifies that the Minister administering the *Civil and Administrative Tribunal Act 2013* has agreed to the provisions.

42 Internal review of certain decisions

Without limiting section 41, the *Administrative Decisions Review Act 1997*, section 53 applies to the following—

- (a) a decision under section 11(2), 15(1), 15(2), 21(1), 22(8), 23(4) or 30(4),
- (b) a decision of a kind prescribed by the regulations.

43 Review of Act

- (1) The Minister must review this Act to determine whether—
 - (a) the policy objectives of the Act remain valid, and
 - (b) the terms of the Act remain appropriate for securing the objectives.
- (2) The review must be undertaken as soon as possible after the period of 3 years from the date of commencement of this Act.
- (3) A report on the outcome of the review must be tabled in each House of Parliament within 12 months after the end of the period of 3 years.

44 Regulations

- (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) Without limiting subsection (1), the regulations may adopt, with or without modification, the provisions of the *Local Government Act 1993* and the regulations under that Act for the purposes of this Act.

45 Report to Parliament

- (1) The Small Business Minister must, at least once every 12 months, report to Parliament on the following matters—
 - (a) how CIDs have operated in relation to small business,
 - (b) whether CID entities have adequately engaged with and supported small business,
 - (c) the examples and evidence provided by CID entities of the engagement and support.
- (2) The Authority must, on request, give the Small Business Minister information in its possession to assist the Small Business Minister in complying with this section.
- (3) In this section—
Small Business Minister means the minister administering the *Small Business Commissioner Act 2013*.

Schedule 1 Savings, transitional and other provisions

Part 1 General

1 Regulations

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the commencement of—
 - (a) a provision of this Act, or
 - (b) a provision amending this Act.
- (2) A savings or transitional provision consequent on the commencement of a provision must not be made more than 2 years after the commencement.
- (3) A savings or transitional provision made consequent on the commencement of a provision is repealed 2 years after the commencement.
- (4) A savings or transitional provision made consequent on the commencement of a provision may take effect before the commencement but not before—
 - (a) for a provision of this Act—the date of assent to this Act, or
 - (b) for a provision amending this Act—the date of assent to the amending Act.
- (5) A savings or transitional provision taking effect before its publication on the NSW legislation website does not—
 - (a) affect the rights of a person existing before the publication in a way prejudicial to the person, or
 - (b) impose liabilities on a person for anything done or omitted to be done before the publication.
- (6) In this section—
person does not include the State or an authority of the State.

Part 2 Provisions consequent on enactment of this Act

2 Existing districts and entities

- (1) The regulations may declare that—
 - (a) an existing community improvement district, however described, is taken to be a CID under this Act, and
 - (b) an existing person is the CID entity for the existing community improvement district.
- (2) To avoid doubt, regulations under this section may adopt provisions of regulations made under this Act, section 18(c) relating to governance, operational and reporting requirements for CID entities, and apply the provisions to an existing person taken to be a CID entity under this section.
- (3) In this section—
existing means existing on the commencement of this section.

3 Pilot agreements

A funding agreement for a pilot CID, in force on the commencement of this section, entered into by a person or body within the Department of Transport for and on behalf of the Crown is taken to have instead been entered into by Authority.

4 Regulation and Subordinate Legislation Act 1989

- (1) Schedule 3 is taken to be and has effect as a regulation made by the Governor under this Act.
- (2) The *Subordinate Legislation Act 1989*, Part 2 does not apply to the regulation but applies to an amendment or repeal of the regulation.
- (3) For the *Subordinate Legislation Act 1989*, section 10, the regulation is taken to have been published on the day on which Schedule 3 commenced.
- (4) The *Interpretation Act 1987*, sections 39–41 do not apply to the regulation but apply to an amendment or repeal of the regulation.
- (5) Schedule 3 is repealed on the day after it commences.

Note— The continued effect of the regulation is unaffected by the repeal of the schedule. See the *Interpretation Act 1987*, section 30.

Schedule 2 Amendment of State Debt Recovery Act 2018 No 11

Schedule 1 Referable debts

Insert at the end of the table—

Levies, fees and interest on unpaid levies under the <i>Community Improvement Districts Act 2025</i>	Agency head, however described, of the Authority to which the levies or fees are payable
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Schedule 3 Community Improvement Districts Regulation 2025

Part 1 Preliminary

1 Name of regulation

This regulation is the *Community Improvement Districts Regulation 2025*.

2 Commencement

This regulation commences on the day on which the *Community Improvement Districts Act 2025*, Schedule 3 commences.

Part 2 Levies

3 CID levies

A levy must be calculated by use of one of the following methods—

- (a) a proportional value method—where the levy is calculated as a proportion of parcel of land's gross land value,
- (b) a tiered method—where all parcels of land in a CID are sorted into two or more tiers, specified by the CID proposal, according to the parcel's gross land value and the same levy is imposed on every parcel within the tier.

Example— A CID proposal could specify four tiers with the following gross land value thresholds and amounts—

- (a) for land valued at less than \$1,000,000—a \$500 levy,
- (b) for land valued at \$1,000,000 to \$2,000,000—a \$1,000 levy,
- (c) for land valued at \$2,000,000 to \$3,000,000—a \$1,500 levy,
- (d) for land valued at greater than \$3,000,000—a \$2,000 levy.

Part 3 Community consultation reports

4 Publication of community consultation reports

For the Act, section 10(4), the report must be published on the Authority's website within 30 days of the CID proposal being accepted under the Act, section 11(1).

Part 4 Production of information and documents

5 Production of information and documents

For the Act, section 36(2), information, or information in a document, is not required to be given to the Authority where the information, or the information in the document, is personal information within the meaning of the *Privacy and Personal Information Protection Act 1998*.

Schedule 4 Dictionary

section 5

approved CID proposal means a CID proposal approved by the Authority under Part 3, Division 3.

approved roll, for a CID proposal ballot, means the roll approved by the Authority for the ballot.

Authority means Transport for NSW constituted under the *Transport Administration Act 1988*.

business land, in a CID, means rateable land in the CID that is categorised as business under the *Local Government Act 1993*.

business land owner, in a CID, means a person who is an owner of business land in the CID.

CID means a community improvement district described in a CID proposal under Part 3.

CID business, in a CID, means a person who—

- (a) operates a business or commercial enterprise, other than a temporary business or commercial enterprise, on business land within the CID, and
- (b) has an ABN or ACN, and
- (c) is not a business land owner in the CID.

CID entity means an incorporated association specified in an approved CID proposal as the CID entity for a CID.

CID Levies Fund—see section 28.

CID proponent means an incorporated association or an unincorporated association.

CID proposal—see Part 3.

CID proposal ballot—see section 12.

enrolled, in relation to a business land owner or a CID business, means enrolled on an approved roll for a ballot.

exercise a function includes perform a duty.

function includes a power, authority or duty.

government land—see section 34.

government sector agency has the same meaning as in the *Government Sector Employment Act 2013*.

gross land value, of land in a CID, means the value of the land without improvements as at the date of approval of the relevant CID proposal.

incorporated association means an association within the meaning of the *Associations Incorporation Act 2009*.

[Second reading speech made in—

Legislative Assembly on 19 March 2025

Legislative Council on 8 May 2025]