



New South Wales

Rural Lands Protection (General) Amendment (Annual Returns) Regulation 2008

under the

Rural Lands Protection Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Lands Protection Act 1998*.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

The object of this Regulation is to amend the *Rural Lands Protection (General) Regulation 2001 (the Principal Regulation)* as follows:

- (a) to update the provision of the Principal Regulation that prescribes the persons who are required under the *Rural Lands Protection Act 1998 (the Act)* to lodge annual returns so as to recognise stock identification schemes under Part 8 of the Principal Regulation,
- (b) to provide that all annual returns required to be lodged by the Act are to contain the following information (in addition to the information already required to be included in such returns):
 - (i) whether or not intensive livestock production is carried out on the land concerned and, if so, the area of land used for intensive livestock production, the capacity of the area used for intensive livestock production and the number of stock kept under intensive livestock production on the land,
 - (ii) the total area of the land that is planted with grapevines (if any) on 30 June in the year in which the return is due,
- (c) to provide that a rural lands protection board may use information obtained from, or in connection with, such annual returns for the following purposes (in addition to the purposes already prescribed):
 - (i) to protect public health and safety,
 - (ii) to assist in the preparation and implementation of emergency animal disease and plant pest and disease preparedness and response programs,

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- (iii) to assist in preventing, managing, controlling and eradicating disease, pests and residues in animals, animal products, plants and plant products and on any land,
- (iv) to assist in the management of drought and the response to floods, fires and other emergencies,
- (d) to make it clear that, without limiting to whom and for what other purposes a rural lands protection board may disclose information it has obtained from, or in connection with, such annual returns, a board may disclose such information to the Department of Primary Industries for the purposes referred to in paragraph (c) above.

This Regulation is made under the *Rural Lands Protection Act 1998*, including sections 76 and 243 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Rural Lands Protection (General) Amendment (Annual Returns) Regulation 2008*.

2 Commencement

This Regulation commences on 1 July 2008.

3 Amendment of Rural Lands Protection (General) Regulation 2001

The *Rural Lands Protection (General) Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 12 Annual returns

Omit clause 12 (1) (c). Insert instead:

- (c) the owner or occupier of a holding in a district that is non-rateable land who is the registered proprietor of a brand or earmark under a stock identification scheme established under Part 8 of this Regulation at any time during the financial year for which the annual return concerned is due to be lodged.

[2] Clause 12 (4)

Omit clause 12 (4) and (5). Insert instead:

- (4) For the purposes of section 76 (2) of the Act, an annual return is to detail the following matters:
 - (a) the full name of the person,
 - (b) the postal address and telephone number (if any) of the person,
 - (c) the address of the land, if different from the address referred to in paragraph (b),
 - (d) a description of the land, including:
 - (i) the portion number or lot and deposited plan number,
 - (ii) the names of the parish and county where the land is located,
 - (iii) the area of the land,
 - (iv) details of any part of the land that is a conservation area within the meaning of the *National Parks and Wildlife Act 1974*,
 - (e) the number of each category of stock other than pigs (if any) kept on the land that were 6 months of age or over on 30 June in the year in which the return is due,
 - (f) the number of pigs of any age (if any) kept on the land on 30 June in the year in which the return is due,
 - (g) whether or not intensive livestock production is carried out on the land and, if so, the area of land used for intensive livestock production, the capacity of the area used for intensive livestock production and the number of stock kept under intensive livestock production on the land,

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- (h) the total area of the land that is planted with grapevines (if any) on 30 June in the year in which the return is due,
 - (i) details of any property identification code allotted to land occupied by the person under Part 3 of the *Stock Diseases Regulation 2004*,
 - (j) details of any stock identifier registered by the person under a stock identification scheme established under Part 8 of this Regulation in the year for which the return is due,
 - (k) in relation to an annual return lodged by a person referred to in subclause (1) (a):
 - (i) the rate assessment number shown on the rate notice for the land, and
 - (ii) if one or two individuals are nominated as the person or persons entitled to be enrolled in respect of the holding under clause 12 of Schedule 2 to the Act—the full name of each individual.

[3] Clause 13 Purposes for which information in annual return may be used and disclosed

Insert after clause 13 (e):

- (f) to protect public health and safety,
- (g) to assist in the preparation and implementation of emergency animal disease and plant pest and disease preparedness and response programs,
- (h) to assist in preventing, managing, controlling and eradicating disease, pests and residues:
 - (i) in animals and animal products, and
 - (ii) in plants and plant products, and
 - (iii) on any land,
- (i) to assist in the management of drought and the response to floods, fires and other emergencies.

[4] Clause 13 (2)

Insert at the end of clause 13:

- (2) Without limiting to whom and for what purposes a board may disclose information it has obtained under Division 7 of Part 7 of the Act, a board may disclose such information to the Department for the purposes set out in subclause (1) (f)–(i).