



New South Wales

State Emergency and Rescue Management Amendment 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 *State Emergency and Rescue Management Act 1989* to—

- (a) allow certain officers of emergency services organisations to temporarily close roads and road related areas in certain circumstances, and
- (b) give the State Emergency Management Committee the function of supporting emergency services organisations and other organisations to plan for the development and maintenance of the emergency management volunteer workforce, and
- (c) make other minor amendments.

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 State Emergency and Rescue Management Act 1989 No 165**

Schedule 1[10] provides that a responsible person for an emergency services organisation may temporarily close a road or road related area to traffic if there is an obstruction or a danger to traffic.

Schedule 1[6] provides that the State Emergency Management Committee has the function of supporting emergency services organisations and other organisations to plan for the development and maintenance of the emergency management volunteer workforce.

Schedule 1[3] provides that education services are a functional area for emergency management.

Schedule 1[9] provides that Regional Emergency Operations Controllers and Local Emergency Operations Controllers are directing officers.

Schedule 1[1], [2], [4], [5], [7], [8] and [11] make minor amendments and amendments of a statute law nature.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

State Emergency and Rescue Management Amendment Bill 2024

No. _____, 2024

A Bill for

An Act to amend the *State Emergency and Rescue Management Act 1989* to enable the temporary closure of roads by emergency services organisations; to give an additional function to the State Emergency Management Committee; and for other purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *State Emergency and Rescue Management Amendment Act 2024*.

3

2 Commencement

4

This Act commences as follows—

5

(a) for Schedule 1[10]—on 1 January 2025,

6

(b) otherwise—on the date of assent to this Act.

7

Schedule 1	Amendment of State Emergency and Rescue Management Act 1989 No 165	1
		2
[1] Section 3 Definitions		3
	Insert in alphabetical order in section 3(1)—	4
	<i>Department</i> means the Premier’s Department.	5
	<i>VRA Rescue NSW Limited</i> means VRA Rescue NSW Limited (ABN 68 767 393 968).	6
		7
[2] Section 3(1), definition of “emergency services organisation”, paragraph (h)		8
	Omit the paragraph. Insert instead—	9
	(h) VRA Rescue NSW Limited,	10
[3] Section 3(1), definition of “functional area”		11
	Insert after paragraph (e)—	12
	(e1) education services,	13
[4] Section 3(1), definition of “New South Wales Volunteer Rescue Association Inc”		14
	Omit the definition.	15
[5] Section 3(1), definition of “Secretary”		16
	Omit “of Justice”.	17
[6] Section 15 Functions of State Emergency Management Committee		18
	Insert after section 15(c1)—	19
	(c2) to support emergency services organisations and other organisations to plan for the development and maintenance of the capabilities and service delivery capacity of the emergency management volunteer workforce,	20
		21
		22
		23
[7] Section 43 Composition of Board		24
	Omit “the New South Wales Volunteer Rescue Association Inc” from section 43(1)(g).	25
	Insert instead “VRA Rescue NSW Limited”.	26
[8] Section 48 Particular duties of Board		27
	Omit “(including financial assistance under section 60)” from section 48(1)(i).	28
[9] Section 60KA Definitions		29
	Insert after the definition of <i>directing officer</i> , paragraph (b)—	30
	(b1) a Regional Emergency Operations Controller, or	31
	(b2) a Local Emergency Operations Controller, or	32
[10] Section 60M		33
	Insert after section 60L—	34
60M Temporary closure of roads and road related areas		35
	(1) The responsible person for an emergency services organisation may, whether or not during a state of emergency, temporarily close a road or road related area to traffic if satisfied it is reasonably necessary because of—	36
		37
		38

(a)	an obstruction, or	1
(b)	a danger to traffic.	2
(2)	The responsible person must not close the road or road related area if the closure is inconsistent with a direction given by—	3 4
(a)	a police officer, or	5
(b)	Transport for NSW, or	6
(c)	the roads authority for the road or road related area.	7
(3)	As soon as practicable after closing the road or road related area, the responsible person must notify—	8 9
(a)	the NSW Police Force, and	10
(b)	Transport for NSW.	11
(4)	In this section—	12
	<i>responsible person</i> , for an emergency services organisation, means the person in charge of members of the organisation present at the site of an obstruction or danger to traffic.	13 14 15
	<i>road</i> has the same meaning as in the <i>Road Transport Act 2013</i> .	16
	<i>road related area</i> has the same meaning as in the <i>Road Transport Act 2013</i> .	17
	<i>roads authority</i> has the same meaning as in the <i>Roads Act 1993</i> .	18
	<i>traffic</i> has the same meaning as in the <i>Roads Act 1993</i> .	19
[11]	Section 63AA Delegation by Secretary	20
	Omit “of Justice”.	21