

Second Reading

The Hon. IAN MACDONALD (Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development) [3.33 p.m.]: I move:

That this bill be now read a second time.

The FIA World Rally Championship is the highest profile four-wheel motor sport championship in the world after Formula One. The 2009 World Rally Championship started off in Ireland and will involve a total of 12 countries, including Norway, Argentina, Greece, Spain and Great Britain. In September 2008 Events New South Wales and the Confederation of Australian Motor Sport [CAMS] announced that the Australian round of the FIA World Rally Championship would be staged every two years until 2017 in the Northern Rivers region of New South Wales, with an option to extend until 2027.

The first event, Repco Rally Australia, will be held in the Tweed and Kyogle local government areas from 3 to 6 September. I put on record from the start that the New South Wales Government will be working cooperatively with our local government counterparts and other key stakeholders in the Northern Rivers to ensure the event is a success and to lock the event into that area. Previously the Australian round of the World Rally Championship was held in Perth. There is no doubt that its move to New South Wales will provide a substantial boost to the State's economy. Events New South Wales estimates that the World Rally Championship will generate more than \$100 million in direct economic benefits for New South Wales over the life of the agreement. It will also increase tourism, create jobs and deliver major economic benefits to regional New South Wales.

The Australian rally consists of approximately 350 kilometres of special stages, or competitive stages, which take place on roads closed to the general public. Drivers obviously aim to complete the special stages in the quickest possible time. Special stages are connected together by liaison stages, which take place on roads open to the public, and competitors must comply with all local traffic laws. The event is a great chance to showcase northern New South Wales to the world. For example, in 2007 more than 816 million people in 180 countries watched the televised World Rally Championship, with around 51 million viewers for each round. Tourism NSW and the New South Wales tourism industry are already developing rally packages for both national and international markets to maximise tourism benefits to New South Wales. As well as marketing the State internationally, the rally is anticipated to generate much-needed jobs in regional New South Wales. I reiterate that the New South Wales Government is fully committed to generating jobs, stimulating the economy and boosting tourism in regional New South Wales. Our support of Rally Australia through this bill is another demonstration of that commitment.

Many of the provisions in the bill are based on legislation used for other special events, such as the V8 Supercars sporting event to be held at Sydney Olympic Park. The bill will streamline the approvals process for the rally event while keeping important safeguards in place. The bill will centralise the numerous State and local government approvals needed into one authorisation for the conduct of a rally within the Northern Rivers region. It is simple common sense. The authorisation will be subject to such conditions as are considered appropriate by the Minister, such as conditions relating to public safety, environmental protection, insurance, reporting and consultation requirements, transport and traffic management, and temporary works requirements. It is an offence if the conditions relating to public safety, environmental protection or insurance are contravened.

The authorisation may also allow the construction and dismantling of temporary works associated with the rally, such as temporary structures to support crew, media and spectators—for example, seating and catering facilities—medical and rescue facilities, service roads, ramps, vehicle parking, road maintenance, traffic control facilities and the use of Walter Peate Reserve in Kingscliff as a temporary helipad. The bill authorises public authorities, including state agencies and local councils, to assist in the conduct of a rally event and related works or activities. For example, public authorities can provide advice to the Minister, or Minister's delegate, in determining the appropriate conditions of the authorisation or they can carry out road maintenance works or set up temporary emergency or first-aid facilities for a rally event.

Where a person is authorised, permitted or required to do anything under the bill in relation to the rally event, it will not be necessary to obtain separate approvals under specified legislation. For example, it will not be necessary to obtain separately a special purposes permit to conduct a car rally on State Forest roads under the Forestry Act 1916, a permit for a road event on a public road under the Roads Act 1993, a licence under the Motor Vehicle Sports (Public Safety) Act 1985, or an approval under the National Parks and Wildlife Act 1974 to use a road managed under that Act. The bill modifies the application of the Environmental Planning and Assessment Act 1979, the Fisheries Management Act 1994, the Local Government Act 1993, the Water Management Act 2000, the Crown Lands Act 1989, the Protection of the Environment Operations Act 1997 and the road transport legislation in relation to a rally event. Criminal proceedings under the Protection of the Environment Operations Act 1997 can still be brought by the Environment Protection Authority or by a person authorised by the authority. In deciding whether to institute or authorise such proceedings, the Environment Protection Authority will have regard to its prosecution guidelines.

The bill also makes it perfectly clear that anything done or omitted to be done by a person pursuant to the proposed Act does not constitute a nuisance. Similar events in other States and at Sydney Olympic Park and Bathurst have been the subject of the same types of legislative provisions relating to proceedings brought in nuisance. Importantly, the New South Wales Government also recognises the need to consult with the Githabul people about the rally. These people hold native title rights over parts of the land in the area in which the first rally event will be held. The rally organisers have been consulting with representatives of the Githabul people for many months and have entered into a heads of agreement. The New South Wales Government will also continue to ensure that the environment and public safety are protected properly.

The Hon. Catherine Cusack: It is hardly representative when you sack a council and the administrator has to make all those decisions.

The Hon. IAN MACDONALD: I am talking about the Aboriginal people of the area. I do not see how that relates to the member's comment.

The Hon. Catherine Cusack: Sacking the council takes the democracy out of it.

The Hon. IAN MACDONALD: I think the member is referring to some other part of my speech. I hope that she can occasionally be relevant to the point I am making. I am alert to this sort of stuff.

The PRESIDENT: Order! Second reading speeches are very important contributions to debate and I ask all members to allow the Minister to continue without interruption.

The Hon. IAN MACDONALD: Temporary works that have been authorised under the bill for the rally event must be carried out during the declared rally period and the rally promoter must reinstate the land by repairing any damage to land, including fixtures within the declared rally area arising from the conduct of a rally event, removing any rubbish generated by the conduct of a rally event within the declared rally area, reinstating the declared rally area affected by the conduct of the rally event as far as practicable to the condition it was in before the conduct of the rally event, and dismantling temporary works unless the damage, rubbish or effect on the land was caused by vandalism or actions of a person aiming to disrupt or obstruct the conduct of the rally event.

The bill will also assist in ensuring the safety of spectators and rally event participants by giving police officers an express power to give directions to persons on a road on which the rally event is being conducted or on public or private land adjacent to, or in the vicinity of, that road. The grounds on which a direction can be made are strictly limited. The direction may be given only if the police officer believes on reasonable grounds that it is necessary for the safety of a person in the conduct of the rally event, and the direction must be reasonable in the circumstances for the purpose of reducing or eliminating the risk to the safety of any person. An example where it may be appropriate to give such a direction would be where a spectator is standing too close to a road on which the rally event is being conducted.

Finally, the bill provides that the proposed Act is to be reviewed five years after it is assented to in order to determine whether its policy objectives remain appropriate. The Government will also undertake an informal review of the rally event to see how well it worked for the community. The outcome of that review can be used to inform the conduct of later rally events. The Government is committed to increased business investment in the State and, in particular, to business investment and job creation in rural and regional New South Wales. There is no doubt that the World Rally Championship represents a significant economic benefit to regional New South Wales. The commonsense measures in this bill will ease the conduct of the Australian rounds of the World Rally Championship in New South Wales while continuing to ensure that the environment and public safety are protected properly. I commend the bill to the House.