



New South Wales

Sporting Venues Authorities Amendment (Venues NSW) Bill 2020

Explanatory note

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

Overview of Bill

The objects of this Bill are—

- (a) to amend the *Sporting Venues Authorities Act 2008*—
 - (i) to reconstitute the regional sporting venues authority known as Venues NSW and dissolve the Sydney Cricket Ground Trust, and
 - (ii) to provide for the establishment of advisory committees to provide advice to the Minister or Venues NSW and enable Venues NSW to exercise its functions, and
 - (iii) to provide for the ownership or management of land previously administered by the Sydney Cricket Ground Trust to be transferred to Venues NSW, and
 - (iv) to make provisions of a savings or transitional nature to give effect to the above matters,
- (b) to amend the *Sydney Olympic Park Authority Act 2001* to enable the Governor, by written order, to transfer assets, rights and liabilities from the Sydney Olympic Park Authority to another public sector agency,
- (c) to make other consequential or related 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 on a day or days to be appointed by proclamation.

Clause 3 repeals the *Sydney Cricket and Sports Ground Act 1978* and the *Sydney Cricket Ground and Sydney Football Stadium By-law 2014*.

Schedule 1 Amendment of Sporting Venues Authorities Act 2008 No 65

Schedule 1[1] inserts definitions for terms used in the amendments made to the Act. **Schedule 1[8] and [9]** make consequential amendments.

Schedule 1[4] specifies the objects of the Act, namely—

- (a) to enable the efficient and effective management and coordination of entertainment and sporting venues within the State on a commercial basis, and
- (b) to attract and encourage the holding of major events at entertainment and sporting venues within the State, and
- (c) to facilitate the development of precincts surrounding the entertainment and sporting venues that Venues NSW owns or operates, and
- (d) to ensure a customer-focused approach is applied to the management of entertainment and sporting venues and surrounding lands so they remain accessible to, and meet the needs of, users of and visitors to the venues and the broader community, and
- (e) to ensure the provision of entertainment and sporting venues fulfils community service obligations that may be determined by the Minister from time to time.

Schedule 1[5] removes a redundant delegation power of the State Sporting Venues Authority.

Schedule 1[10] repeals Part 3 of the Act and inserts new Parts 3 and 3A, which provide for the establishment of Venues NSW and advisory committees.

Under new Part 3—

- (a) proposed section 12 provides for the constitution of Venues NSW as a corporation, and
- (b) proposed section 13 states Venues NSW is a NSW Government agency, and
- (c) proposed section 14 provides Venues NSW is subject to the control and direction of the Minister, and
- (d) proposed section 15 establishes the Board of Venues NSW, and
- (e) proposed section 16 provides the Minister may appoint a Chief Executive Officer of Venues NSW in consultation with the Board, and
- (f) proposed section 17 provides Venues NSW or a private subsidiary corporation of Venues NSW may also employ its own staff, and
- (g) proposed section 18 confirms the doctrine of incompatibility of office does not operate to prevent a holder of a position in a government sector agency from being appointed to a position in Venues NSW or on its Board, and
- (h) proposed section 19 sets out the principal functions of Venues NSW, which include establishing and managing sporting grounds, sporting facilities and recreational facilities, providing advice to the Minister on the State's entertainment and sporting venues strategy and promoting the use of Venues NSW's land for commercial purposes, and
- (i) proposed section 20 confirms the ability of Venues NSW to delegate its functions to certain authorised persons, excluding the power of delegation, and
- (j) proposed section 21 enables Venues NSW to form or acquire interests in certain private corporations, and
- (k) proposed section 21A enables Venues NSW to exercise its functions through private subsidiary corporations, or in a partnership, joint venture or other association with other persons or bodies.

Under new Part 3A—

- (a) proposed section 21C enables Venues NSW to establish advisory committees to provide advice to the Minister or Venues NSW, or to enable Venues NSW to exercise its functions and proposed section 21B includes definitions used in the new Part, and
- (b) proposed section 21D—
 - (i) establishes membership advisory committees to provide advice to Venues NSW regarding the membership of Members of the Sydney Cricket Ground and persons who held membership to stadia formerly vested in the regional sporting venues authority known as Venues NSW, and
 - (ii) provides the membership of the membership advisory committees is to be made up of former members of the Sydney Cricket and Sports Ground Trust or the board of management of former Venues NSW, and
 - (iii) for the membership advisory committee established in respect of membership of the Sydney Cricket Ground, further members may be elected to the committee in accordance with a Schedule 3 to be inserted by **Schedule 1[25]**.

Schedule 1[2], [3], [6], [7], [12] and [16] make consequential amendments.

Schedule 1[11] provides the transfer of land to a sporting venues authority under Part 4, Division 1 of the Act is conduct authorised for the purposes of the *Competition and Consumer Act 2010* of the Commonwealth and the *Competition Code of New South Wales*.

Schedule 1[13] confirms a sporting venues authority's ability to manage, develop and otherwise deal with its land is subject to the provisions of proposed Part 4, Divisions 2A and 2B inserted by Schedule 1[14].

Schedule 1[14] inserts proposed Part 4, Divisions 2A and 2B, which contain Crown land management and development provisions relating to Venues NSW's land previously vested in the Sydney Cricket and Sports Ground Trust.

Proposed Division 2A provides for the appointment of Venues NSW as the Crown land manager for land previously vested in the Sydney Cricket and Sports Ground Trust, described in the Act as *scheduled lands*. The Division also confirms the scheduled lands continue to be Crown land dedicated for the purposes of public recreation.

Proposed Division 2B makes particular provision in relation to scheduled lands, designated land and controlled land that are further described in Schedule 4A of the Act. Under proposed Division 2B—

- (a) proposed section 30AD—
 - (i) enables the Minister to approve the carrying out of development on designated land, along with plans and specifications associated with the development, and
 - (ii) requires the Minister, before giving the approval, to consult with the Minister or Ministers administering the *Public Works and Procurement Act 1912* and the *Environmental Planning and Assessment Act 1979*, and
- (b) proposed section 30AE provides certain environmental planning laws do not apply to the development approved by the Minister under proposed section 30AD, and
- (c) proposed section 30AF enables the scheduled lands to be the subject of a State environmental planning policy under the *Environmental Planning and Assessment Act 1979* and further enables the land to be used for purposes permitted by the planning policy (subject to the restrictions in proposed section 30AI), and
- (d) proposed section 30AG enables the Minister to make a determination that an agreement, lease or licence relating to the scheduled lands may be varied, or cease to apply to a party, to enable work to be carried out on the scheduled lands, and
- (e) proposed section 30AH makes it clear the scheduled lands may be used for purposes permitted under a State environmental planning policy, and a lease or licence granted for

the use of the land for those purposes, even though the land is dedicated for public recreation, and

- (f) proposed section 30AI prevents the use of any part of the scheduled lands other than controlled land for residential accommodation, and any part of the scheduled lands other than designated land for tourist and visitor accommodation, and
- (g) proposed section 30AJ provides the Minister may declare certain land within Venues NSW's land to be controlled land or designated land.

Schedule 1[15] omits Part 5 of the Act relating to the requirement for regional sporting venues authorities to develop plans of management. This Part is no longer necessary as there will no longer be any regional sporting venues authorities under the Act.

Schedule 1[17] and [18] provide Venues NSW is the authority required to allow the Newcastle Agricultural, Horticultural and Industrial Association to use the Showground land.

Schedule 1[19] and [21] provide the Chief Executive Officer of Venues NSW may appoint rangers for the purposes of the Act and delegate the Chief Executive Officer's appointment functions to a person employed by Venues NSW.

Schedule 1[20] makes it clear a ranger has the powers and duties conferred on a ranger by the Act or the regulations.

Schedule 1[22]–[24] enables the regulations to provide for additional matters relating to the functions of the State Sporting Venues Authority and Venues NSW.

Schedule 1[25] inserts proposed Schedules 1, 2 and 3 in the Act.

Proposed Schedule 1 provides for the constitution and procedures of the Board of Venues NSW.

Proposed Schedule 2 contains provisions regarding the appointment, remuneration and removal of the Chief Executive Officer.

Proposed Schedule 3 sets out the procedures for the election of members of the membership advisory committee regarding membership of the Sydney Cricket Ground.

Schedule 1[26] inserts Schedule 4A in the Act, which sets out the description of certain land vested in, or managed by, Venues NSW for the purposes of the definitions provided under section 3(1) of the Act.

Schedule 1[27] inserts Schedule 5, Part 6 in the Act, which contains savings, transitional and other provisions consequent on the enactment of the proposed Act. The Part includes provisions that—

- (a) provide for the reconstitution of Venues NSW, and
- (b) dissolve the Sydney Cricket Ground Trust and also Local Venues Councils constituted under the Act, and
- (c) provide for the transfer of the assets, rights and liabilities of the Sydney Cricket Ground Trust and Local Venues Councils, and certain regulatory authorisations held by those former bodies, to Venues NSW, and
- (d) provide for the transfer of employees of the Sydney Cricket Ground Trust and current employees of the Public Service to Venues NSW, and
- (e) confirm persons who were previously authorised for certain functions relating to admission to, and removal of persons from, lands under the *Sydney Cricket Ground and Sydney Football Stadium By-law 2014* before its repeal are taken to have been appointed as rangers under the Act.

Schedule 2 Amendment of Sydney Olympic Park Authority Act 2001 No 57

Schedule 2 enables the Governor, by written order, to transfer assets, rights and liabilities of the Sydney Olympic Park Authority to another public sector agency.

Schedule 3 Amendment of other legislation

Sporting Venues Authorities Regulation 2019

Schedule 3.7[1] provides a ranger or police officer may direct a person to leave land or a facility vested in or managed by a sporting venues authority if the ranger or police officer considers the person is contravening a provision of the Act or the Regulation.

Schedule 3.7[2] confirms the capacity for Venues NSW or a ranger to call in the aid of a police officer to assist with the removal of a person from the land of a sporting venues authority.

Schedule 3.7[3] and [6] omit redundant provisions.

Schedule 3.7[4] updates references as a result of the amendments made by Schedule 1.

Schedule 3.7[5] provides certain term of office provisions do not apply to members of a membership advisory committee who were members of the Sydney Cricket and Sports Ground Trust or a member of the former board of management of Venues NSW immediately before the dissolution of those bodies.

Sporting Venues (Invasions) Regulation 2016

Schedule 3.8 prescribes the Sydney Cricket Ground and Sydney Football Stadium as sporting venues to which the provisions of the *Sporting Venues (Invasions) Act 2003* apply.

Amendment of other legislation

Schedules 3.1–3.6 and 3.9–3.14 make consequential amendments arising from the dissolution of the Sydney Cricket and Sports Ground Trust.



New South Wales

Sporting Venues Authorities Amendment (Venues NSW) Bill 2020

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New South Wales

Sporting Venues Authorities Amendment (Venues NSW) Bill 2020

No. , 2020

A Bill for

An Act to amend the *Sporting Venues Authorities Act 2008* to reconstitute Venues NSW and dissolve the Sydney Cricket Ground Trust; to repeal and make consequential or related amendments to certain legislation.

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Sporting Venues Authorities Amendment (Venues NSW) Act 2020*.

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2 Commencement

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

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3 Repeals

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The following are repealed—

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(a) the *Sydney Cricket and Sports Ground Act 1978* No 72,

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(b) the *Sydney Cricket Ground and Sydney Football Stadium By-law 2014*.

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Schedule 1	Amendment of Sporting Venues Authorities Act 2008 No 65	1
		2
[1] Section 3 Definitions		3
	Insert in alphabetical order in section 3(1)—	4
	<i>advisory committee</i> means a committee established under section 21C and includes a membership advisory committee.	5
	<i>Board of Venues NSW</i> means the Board of Venues NSW provided by section 15.	6
	<i>Chief Executive Officer</i> means the Chief Executive Officer of Venues NSW.	7
	<i>controlled land</i> means the lands described in Schedule 4A, Part 3.	8
	<i>designated land</i> means the land described in Schedule 4A, Part 2.	9
	<i>membership advisory committee</i> means a membership advisory committee established by section 21D.	10
	<i>private corporation</i> means a corporation within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth formed in or outside New South Wales.	11
	<i>private subsidiary corporation</i> means a private corporation in which a sporting venues authority has a controlling interest.	12
	<i>scheduled lands</i> means the land described in Schedule 4A, Part 1.	13
	<i>Venues NSW</i> means Venues NSW constituted by this Act.	14
	<i>Venues NSW's land</i> means the land vested in or managed by Venues NSW and includes land described in Schedule 4A.	15
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[2] Section 3(1), definitions of “board of management” and “regional sporting venues authority”		19
	Omit the definitions.	20
[3] Section 3(1), definition of “sporting venues authority”		21
	Omit “a regional sporting venues authority”. Insert instead “Venues NSW”.	22
[4] Section 3A		23
	Insert after section 3—	24
3A Objects of Act		25
	The objects of this Act are as follows—	26
	(a) to enable the efficient and effective management and coordination of entertainment and sporting venues within the State on a commercial basis,	27
	(b) to attract and encourage the holding of major events at entertainment and sporting venues within the State,	28
	(c) to facilitate the development of precincts surrounding the entertainment and sporting venues that Venues NSW owns or operates,	29
	(d) to ensure a customer-focused approach is applied to the management of entertainment and sporting venues and surrounding lands so they remain accessible to, and meet the needs of, users of and visitors to the venues and the broader community,	30
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(e)	to ensure the provision of entertainment and sporting venues fulfils community service obligations that may be determined by the Minister from time to time.	1 2 3
[5]	Section 7 Delegation of State Sporting Venues Authority's functions	4
	Omit section 7(3)(b) and (c). Insert instead—	5
	(b) a government agency or member of staff of a government agency.	6
[6]	Section 9 Functions of State Sporting Venues Authority	7
	Omit “a regional sporting venues authority” from section 9(2).	8
	Insert instead “Venues NSW”.	9
[7]	Section 9(2)	10
	Omit “the regional sporting venues authority”. Insert instead “Venues NSW”.	11
[8]	Section 10 Exercise of functions through private subsidiaries, joint ventures etc	12
	Omit “(within the meaning of section 11)” from section 10(b).	13
[9]	Section 11 Private subsidiary corporations etc	14
	Omit section 11(1).	15
[10]	Part 3	16
	Omit the Part. Insert instead—	17
	Part 3 Venues NSW	18
	Division 1 Constitution and administration of Venues NSW	19
	12 Constitution of Venues NSW	20
	There is constituted by this Act a corporation with the corporate name of Venues NSW.	21 22
	13 Status of Venues NSW	23
	Venues NSW is a NSW Government agency.	24
	14 Ministerial control	25
	Venues NSW is subject to the control and direction of the Minister in the exercise of its functions, except in relation to the contents of any advice, report or recommendation given to the Minister.	26 27 28
	15 Board of Venues NSW	29
	(1) There is to be a Board of Venues NSW.	30
	(2) The Board of Venues NSW is to consist of the following members appointed by the Minister—	31 32
	(a) 1 person appointed by the Minister as the Chairperson of the Board,	33
	(b) 1 person appointed by the Minister as the Deputy Chairperson of the Board,	34 35
	(c) 1 person who is a Public Service senior executive within the meaning of the <i>Government Sector Employment Act 2013</i> ,	36 37

(d)	at least 6, but not more than 8, other persons.	1
	Note. Schedule 1 sets out provisions relating to the members and procedure of the Board of Venues NSW.	2 3
16	Chief Executive Officer of Venues NSW	4
(1)	The Minister may, in consultation with the Board of Venues NSW, appoint a Chief Executive Officer of Venues NSW.	5 6
(2)	The Chief Executive Officer is responsible for the day-to-day management of the affairs of Venues NSW in accordance with the policies and general directions of the Board of Venues NSW.	7 8 9
(3)	Any act, matter or thing done in the name of, or on behalf of, Venues NSW by the Chief Executive Officer is taken to have been done by Venues NSW.	10 11
(4)	The Chief Executive Officer may attend, and participate in discussions at, meetings of the Board of Venues NSW unless otherwise directed by the Board, but is not entitled to vote at the meetings.	12 13 14
	Note. Schedule 2 sets out further provisions relating to the Chief Executive Officer.	15
17	Staff of Venues NSW	16
(1)	Venues NSW or a private subsidiary corporation may employ its own staff.	17
(2)	The provisions of the <i>Government Sector Employment Act 2013</i> relating to the employment of Public Service employees do not apply to staff employed by Venues NSW or a private subsidiary corporation.	18 19 20
18	Holder of office not affected by appointment to Venues NSW or its Board	21
(1)	The doctrine of incompatibility of office—	22
(a)	does not operate to prevent the holder of a position in a government sector agency (the original position) from being appointed to a position in Venues NSW or on its Board (the additional position), and	23 24 25
(b)	does not operate to effect or require the holder of the original position to surrender or vacate the position as a result of the appointment to the additional position.	26 27 28
(2)	This section applies even if the original position or the additional position is held on an acting or temporary basis.	29 30
(3)	This section does not limit section 73 of the <i>Government Sector Employment Act 2013</i> .	31 32
(4)	In this section—	33
	government sector agency has the same meaning as in the <i>Government Sector Employment Act 2013</i> .	34 35
Division 2	Functions of Venues NSW	36
19	Functions of Venues NSW	37
(1)	The principal functions of Venues NSW are as follows—	38
(a)	to provide advice to the Minister on the State’s entertainment and sporting venues management strategy and development of existing or new entertainment and sporting venues and their surrounding precincts,	39 40 41
(b)	to maintain and improve Venues NSW’s land,	42
(c)	to establish, manage and improve sporting grounds, events grounds and associated facilities for the purposes of sports, events and recreation,	43 44

- (d) to establish, manage and improve facilities for the purposes of sporting competitions, sports training and sports education, 1
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 - (e) to establish, manage and improve community facilities and to establish, manage and improve facilities for community and recreational purposes, 3
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 - (f) to permit the use of the whole or any part of Venues NSW's land for activities of a sporting, recreational or community nature, including the use of the land for events and general community access, 6
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 - (g) to encourage, if Venues NSW considers it appropriate, the use and enjoyment of Venues NSW's land by the public and clubs, associations or other bodies, 9
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 - (h) to collaborate with public sector agencies and other bodies to promote the use of Venues NSW's land and facilities for commercial purposes, 12
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 - (i) to undertake or provide, or facilitate the undertaking or provision of, commercial and retail activities and facilities on Venues NSW's land, 14
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 - (j) if the Minister considers it appropriate, to undertake or provide, or facilitate the undertaking or provision of, residential or tourist and visitor accommodation on Venues NSW's lands designated for the purpose, 16
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 - (k) to make all reasonable attempts to ensure new development carried out on Venues NSW's land accords with environmental and planning laws, standards and best practice, 20
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 - (l) to contribute to proposals for the design, development and management of land neighbouring Venues NSW's land, 23
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 - (m) to meet the community service obligations determined from time to time by the Minister in relation to the provision of entertainment and sporting venues. 25
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 - (2) Venues NSW may undertake supplemental, incidental or consequential acts as may be necessary or expedient for the exercise of its functions, including entering into any contract or arrangement with any person in connection with the carrying out of its functions. 28
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 - (3) Venues NSW has other functions conferred or imposed on it by or under this Act or any other Act. 32
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- 20 Delegation of Venues NSW's functions** 34
- (1) Venues NSW may delegate to an authorised person any of its functions, other than this power of delegation. 35
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 - (2) A delegate may sub-delegate to an authorised person any function delegated by Venues NSW if the delegate is authorised in writing to do so by Venues NSW. 37
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 - (3) In this section, *authorised person* means— 40
 - (a) a member of staff of Venues NSW, or 41
 - (b) a government agency or member of staff of a government agency, or 42
 - (c) an advisory committee or member of an advisory committee. 43
- 21 Private subsidiary corporations** 44
- (1) Venues NSW may— 45
 - (a) form, or participate in the formation of, private corporations, and 46

	(b) acquire interests in private corporations, and	1
	(c) sell or otherwise dispose of interests in private corporations.	2
	(2) A private subsidiary corporation is not, and does not represent, the Crown.	3
21A	Exercise of functions through private subsidiary corporations or with other persons or bodies	4
	A function of Venues NSW may be exercised—	5
	(a) by Venues NSW itself, or	6
	(b) by a private subsidiary corporation, or	7
	(c) by Venues NSW or a private subsidiary corporation, or both, in a partnership, joint venture or other association with other persons or bodies.	8
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	Part 3A Advisory committees	12
21B	Definitions	13
	In this Part—	14
	<i>commencement day</i> means the day on which this Part commences.	15
	<i>done</i> includes omitted to be done.	16
	<i>liability</i> means civil liability and includes action, claim and demand.	17
21C	Advisory Committees—general	18
	(1) Venues NSW may establish advisory committees to—	19
	(a) provide advice to the Minister or to Venues NSW, or	20
	(b) enable Venues NSW to exercise its functions.	21
	(2) Subject to any directions given by the Minister, the procedure of an advisory committee is to be determined by the Board of Venues NSW.	22
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	(3) A member of an advisory committee is an honorary member and no remuneration is payable to the member in respect of the duties they perform as a member of the advisory committee.	24
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	(4) An advisory committee, other than a membership advisory committee, may be dissolved or merged with another advisory committee at any time.	27
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	(5) The regulations may provide for the following—	29
	(a) the establishment and functions of an advisory committee,	30
	(b) the membership of an advisory committee,	31
	(c) the procedure and dissolution of an advisory committee,	32
	(d) the appointment, term of office and removal from office of members of an advisory committee.	33
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21D	Membership advisory committees	35
	(1) The following membership advisory committees are established on the commencement day—	36
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	(a) a committee to provide advice to Venues NSW regarding the membership of persons who were formerly Members of the Sydney Cricket Ground, as referred to in clause 37 of the <i>Sydney Cricket Ground and Sydney Football Stadium By-law 2014</i> before its repeal,	38
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- (b) a committee to provide advice to Venues NSW regarding the membership of persons who were given membership to stadia vested in Venues NSW before the commencement day. 1
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- (2) Venues NSW is to ensure a former member is invited to become a member of— 4
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- (a) if the former member was a member of the Sydney Cricket and Sports Ground Trust—the membership advisory committee established under subsection (1)(a), or 6
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- (b) if the former member was a member of the former board of management of Venues NSW—the membership advisory committee established under subsection (1)(b). 9
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- (3) A person becomes a member of a membership advisory committee— 12
- (a) if the person is a former member— 13
- (i) on the day the former member accepts Venues NSW’s invitation to become a member of the membership advisory committee, and 14
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- (ii) in accordance with subsection (2), or 16
- (b) if the person who is elected, in accordance with Schedule 3, as a member of the membership advisory committee established under subsection (1)(a)—on the date of the person’s election. 17
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- (4) A membership advisory committee may be dissolved or merged with another advisory committee on the expiration of the remainder of the terms of office of— 20
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- (a) for a membership advisory committee established under subsection (1)(a)—all of the former members of the Sydney Cricket and Sports Ground Trust who have been appointed as members of the membership advisory committee, or 23
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- (b) for a membership advisory committee established under subsection (1)(b)—all of the former members of the former board of management of Venues NSW who have been appointed as members of the membership advisory committee. 27
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- (5) A member of a membership advisory committee is not personally subject to any liability for anything done— 31
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- (a) in good faith, and 33
- (b) for the purpose of executing functions under this Act. 34
- (6) The liability instead attaches to the Crown. 35
- (7) In this section— 36
- former board of management** of Venues NSW means the board of management of Venues NSW before Venues NSW was reconstituted by Schedule 5, Part 6. 37
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39
- former member** means a person who— 40
- (a) was, immediately before its dissolution, a member of— 41
- (i) the Sydney Cricket and Sports Ground Trust, or 42
- (ii) the former board of management of Venues NSW, and 43
- (b) is not appointed as a member of the Board of Venues NSW. 44

[11] Section 25A 45

Insert after section 25— 46

25A	Competition authorisations relating to transfer of land under this Division	1
(1)	Conduct authorised or required by or under the provisions of this Division is specifically authorised by this Act for the purposes of the <i>Competition and Consumer Act 2010</i> of the Commonwealth and the <i>Competition Code of New South Wales</i> .	2 3 4 5
(2)	Conduct authorised by this section is authorised only to the extent (if any) it would otherwise contravene Part IV of the <i>Competition and Consumer Act 2010</i> of the Commonwealth and the <i>Competition Code of New South Wales</i> .	6 7 8
[12]	Part 4 Provisions relating to vesting of and dealings with land and other property	9
	Omit “A regional sporting venues authority” wherever occurring in Division 2.	10
	Insert instead “Venues NSW”.	11
[13]	Section 30 Reservations, dedications and original grants of land	12
	Insert at the end of the section—	13
(2)	This section is subject to Divisions 2A and 2B.	14
[14]	Part 4, Divisions 2A and 2B	15
	Insert after Division 2—	16
	Division 2A Crown land management	17
30AA	Definitions	18
	In this Division—	19
	<i>commencement day</i> means the day on which this Division commences.	20
	<i>Crown land Minister</i> means the Minister administering the <i>Crown Land Management Act 2016</i> .	21 22
30AB	Dedication of scheduled lands	23
	The scheduled lands continue, on and from the commencement day, to be Crown land dedicated for the purpose of public recreation under the <i>Crown Land Management Act 2016</i> .	24 25 26
30AC	Venues NSW is Crown land manager of scheduled lands	27
(1)	On and from the commencement day—	28
(a)	the appointment of the Sydney Cricket and Sports Ground Trust as Crown land manager for the scheduled lands under the <i>Crown Land Management Act 2016</i> is taken to be revoked, and	29 30 31
(b)	Venues NSW is taken to have been appointed under the <i>Crown Land Management Act 2016</i> as the Crown land manager for the scheduled lands.	32 33 34
(2)	The <i>Crown Land Management Act 2016</i> applies in relation to the scheduled lands and to Venues NSW in its capacity as the Crown land manager, subject to the following modifications—	35 36 37
(a)	Venues NSW’s appointment as the Crown land manager of the scheduled lands cannot be revoked under the <i>Crown Land Management Act 2016</i> ,	38 39 40
(b)	no other person can be appointed under the <i>Crown Land Management Act 2016</i> as a Crown land manager of the scheduled lands,	41 42

- (c) Venues NSW is taken to have been assigned as a category 1 non-council manager of the scheduled lands for the purposes of Division 3.5 of the *Crown Land Management Act 2016*, 1
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- (d) if the Minister is not also the Crown land Minister, the Minister can— 4
- (i) exercise the functions of the Crown land Minister under Part 2 of the *Crown Land Management Act 2016* instead of the Crown land Minister in relation to the scheduled lands, except a function prescribed under paragraph (e), and 5
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- (ii) grant written consent for the purposes of Division 3.5 of the *Crown Land Management Act 2016*, 9
10
- (e) the regulations under this Act may prescribe kinds of functions for the purposes of section 3.26(2)(d) of the *Crown Land Management Act 2016*, 11
12
13
- (f) Venues NSW is not required to obtain the Minister’s consent for the exercise of a function prescribed for the purposes of section 3.26(2)(d) of the *Crown Land Management Act 2016* or paragraph (e), 14
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16
- (g) the following provisions of the *Crown Land Management Act 2016* do not apply in relation to the scheduled lands or Venues NSW— 17
18
- (i) Division 2.2, 19
- (ii) Division 2.4 (except for sections 2.12 and 2.14), 20
- (iii) section 2.21, 21
- (iv) Division 3.2, 22
- (v) sections 3.14–3.16 and 3.18, 23
- (vi) sections 3.29–3.31, 24
- (vii) Division 3.6, 25
- (viii) section 3.45, 26
- (ix) sections 9.12 and 9.25, 27
- (x) Schedule 5, 28
- (xi) any other provisions prescribed by the regulations. 29
- (3) If the Minister exercises a function of the Crown land Minister permitted by this section, the exercise of the function has the same effect as if it had been duly exercised by the Crown land Minister. 30
31
32

Division 2B Particular provisions relating to controlled land, designated land and scheduled lands 33
34

30AD Carrying out of development on designated land 35

- (1) The Minister may approve the following proposals— 36
- (a) the carrying out of development on designated land, 37
- (b) plans or specifications relating to the development. 38
- (2) The Minister’s approval must certify the Minister has consulted the following Ministers in relation to the proposals— 39
40
- (a) the Minister for the time being administering the *Public Works and Procurement Act 1912*, 41
42
- (b) the Minister for the time being administering the *Environmental Planning and Assessment Act 1979*. 43
44

(3)	This section is repealed at the beginning of the day that is 12 months after the commencement of this section.	1 2
30AE	Application of certain laws to development on designated land	3
(1)	The excluded laws do not apply to the following—	4
(a)	the approval of the Minister to the carrying out of development approved by the Minister under section 30AD (the <i>approved development</i>),	5 6 7
(b)	the carrying out of the approved development by—	8
(i)	Venues NSW, or	9
(ii)	a person on behalf of, or with the authority of, Venues NSW,	10
(c)	the use of the approved development from time to time,	11
(d)	the designated land on which the approved development is carried out or used, or is proposed to be carried out or used.	12 13
(2)	In this section, <i>excluded laws</i> means—	14
(a)	the <i>Environmental Planning and Assessment Act 1979</i> , and	15
(b)	the <i>Local Government Act 1993</i> , and	16
(c)	an instrument in force made under the Acts.	17
30AF	Additional uses allowed on scheduled lands	18
(1)	Subject to section 30AI, the scheduled lands may be used for purposes permitted on the lands by a State environmental planning policy.	19 20
(2)	A State environmental planning policy may not permit the use of scheduled lands for a purpose unless the use of the land for the purpose has been approved by the Minister.	21 22 23
(3)	Section 30AE does not prevent a provision being included in a State environmental planning policy that applies to designated land.	24 25
(4)	If a provision included in a State environmental planning policy applies to designated land, section 30AE ceases to apply to the part of the land except in relation to development or use of the land in accordance with an approval under section 30AD—	26 27 28 29
(a)	granted before the day on which the State environmental planning policy took effect, or	30 31
(b)	granted on or after the day on which the State environmental planning policy took effect in response to an application made by Venues NSW before the day.	32 33 34
(5)	This section—	35
(a)	does not affect a provision of a State environmental planning policy in force before the relevant day, and	36 37
(b)	affects a provision included in a State environmental planning policy after the relevant day only to the extent the provision relates to the scheduled lands.	38 39 40
(6)	In this section—	41
	<i>relevant day</i> means the commencement day of the <i>Sydney Cricket and Sports Ground Amendment Act 2006</i> .	42 43
	<i>State environmental planning policy</i> has the same meaning as in the <i>Environmental Planning and Assessment Act 1979</i> .	44 45

30AG	Variation or cessation of agreements relating to scheduled lands	1
(1)	To enable work to be carried out in relation to the scheduled lands, the Minister may determine an agreement relating to the scheduled lands—	2 3
(a)	ceases to be binding on a party to the agreement, and	4
(b)	is varied to the extent the Minister deems equitable.	5
(2)	The Minister must not make a determination on an agreement before receiving a report from Venues NSW that recommends the alteration of the agreement.	6 7
(3)	Notice of the Minister’s determination must be given to the parties to the agreement in writing.	8 9
(4)	An agreement ceases to have effect or is varied—	10
(a)	in accordance with the terms of the Minister’s notice, and	11
(b)	from the date specified in the Minister’s notice.	12
(5)	In this section—	13
	<i>agreement</i> includes a lease and a licence.	14
30AH	Ancillary provisions relating to development and use of scheduled lands for additional purposes	15 16
(1)	The dedication of the scheduled lands for public recreation does not prevent or otherwise affect—	17 18
(a)	the use of any part of the scheduled lands for a permissible purpose, or	19
(b)	the grant of a lease or licence that permits or otherwise provides for its use for a permissible purpose.	20 21
(2)	To avoid doubt, a permissible purpose includes a purpose authorised by this Act for the purposes of section 2.12 of the <i>Crown Land Management Act 2016</i> in its application to the scheduled lands.	22 23 24
(3)	In this section, <i>permissible purpose</i> , in relation to a part of the scheduled lands, means a purpose permitted on that part by a State environmental planning policy referred to in section 30AF.	25 26 27
30AI	Certain uses of Venues NSW’s land restricted	28
(1)	Despite any other provision of this Act, any other Act or any instrument made under this or any other Act—	29 30
(a)	no part of Venues NSW’s land, other than controlled land, may be used for residential accommodation, and	31 32
(b)	no part of Venues NSW’s land, other than designated land, may be used for tourist and visitor accommodation.	33 34
(2)	In this section—	35
	<i>residential accommodation</i> means a building or place used predominantly as a place of residence, but does not include tourist and visitor accommodation.	36 37
	<i>tourist and visitor accommodation</i> means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes hotel accommodation and serviced apartments.	38 39 40
30AJ	Declaration of controlled land or designated land	41
	The Minister may, by order published on the NSW legislation website—	42
(a)	declare certain land within Venues NSW’s land to be—	43

	(i) controlled land, by inserting the description of the land into Schedule 4A, Part 3, or	1 2
	(ii) designated land, by inserting the description of the land into Schedule 4A, Part 2, or	3 4
	(b) change or abolish the classification of certain land within Venues NSW's land as controlled land or designated land by—	5 6
	(i) amending the description of the controlled land in Schedule 4A, Part 3, or	7 8
	(ii) amending the description of the designated land in Schedule 4A, Part 2.	9 10
[15]	Part 5 Plans of management	11
	Omit the Part.	12
[16]	Section 33A Advisory committees	13
	Omit the section.	14
[17]	Section 34 Use of Newcastle Showground land	15
	Omit “the Authority” wherever occurring. Insert instead “Venues NSW”.	16
[18]	Section 34(5), definition of “Authority”	17
	Omit the definition.	18
[19]	Section 37 Rangers	19
	Omit section 37(1). Insert instead—	20
	(1) The Chief Executive Officer may appoint a person employed by Venues NSW to be a ranger for the purposes of this Act.	21 22
[20]	Section 37(2)	23
	Insert “, and has the powers and duties,” after “functions”.	24
[21]	Section 37(6) and (7) (definition of “Chief Executive”)	25
	Omit “the Office of Sport” wherever occurring. Insert instead “Venues NSW”.	26
[22]	Section 40 Regulations	27
	Insert after section 40(1)(a)—	28
	(a1) the protection of property, including buildings, structures and machinery, situated on the authority's land, and	29 30
	(a2) the preservation or protection of trees or other vegetation on the authority's land, and	31 32
[23]	Section 40(1)(c1)	33
	Insert after section 40(1)(c)—	34
	(c1) the admission to memberships that enable the access to, and use of, areas of Venues NSW's land reserved for the use of members, including the determination of membership fees or subscriptions, and	35 36 37
[24]	Section 40(1)(h1)	38
	Insert after section 40(1)(h)—	39

(h1)	the closing of lands, or a part of the lands, vested in or managed by a sporting venues authority, and the conditions that may apply to the closing of the lands or as a consequence of the closing of the lands, and	1 2 3
[25]	Schedules 1–3	4
	Omit the Schedules. Insert instead—	5
	Schedule 1 Constitution and procedure of Board of Venues NSW	6 7
	section 15	8
	Part 1 Preliminary	9
	1 Interpretation	10
	In this Schedule—	11
	<i>Board</i> means the Board of Venues NSW.	12
	<i>member</i> means a member of the Board and includes a non-GSE member.	13
	<i>non-GSE member</i> means a member of the Board appointed by the Minister under section 15(2)(a), (b) or (d).	14 15
	Part 2 Constitution	16
	2 Terms of office of members	17
	(1) Subject to this Schedule and the regulations, a non-GSE member of the Board—	18 19
	(a) holds office for the term, not exceeding 3 years, specified in the member’s instrument of appointment, and	20 21
	(b) is eligible, if otherwise qualified, for re-appointment.	22
	(2) A non-GSE member is not eligible to be a member of the Board for consecutive terms totalling more than 9 years.	23 24
	3 Part-time appointments	25
	Non-GSE members hold office as part-time members.	26
	4 Remuneration	27
	The Minister may, from time to time, determine in consultation with the Public Service Commissioner an amount of remuneration, including travelling and subsistence allowances, in respect of the office of non-GSE members.	28 29 30
	5 Deputies	31
	(1) The Minister may—	32
	(a) from time to time, appoint a person to be the deputy of a non-GSE member, and	33 34
	(b) revoke the appointment at any time.	35
	(2) In the absence of a non-GSE member, the member’s deputy may, if available, act in the place of the member.	36 37
	(3) While acting in the place of the non-GSE member, a person has all the functions of the member and is taken to be a member.	38 39

(4)	For the purposes of this clause, a vacancy in the office of a non-GSE member is taken to be an absence of the member.	1 2
(5)	This clause does not operate to confer on the deputy of a non-GSE member who is the Chairperson the member's functions as Chairperson.	3 4
6	Vacancy in office of member	5
(1)	The office of a member becomes vacant if the member—	6
(a)	dies, or	7
(b)	completes a term of office and is not re-appointed, or	8
(c)	resigns the office by instrument in writing addressed to the Minister, or	9
(d)	is nominated for election as a member of the Legislative Council or of the Legislative Assembly or as a member of a House of Parliament or a legislature of another State or Territory or of the Commonwealth, or	10 11 12
(e)	is absent from 3 consecutive meetings of the Board of which reasonable notice has been given to the member personally or by post, except on leave granted by the Minister or unless the member is excused by the Minister for having been absent from the meetings, or	13 14 15 16
(f)	becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with the member's creditors or makes an assignment of the member's remuneration for their benefit, or	17 18 19 20
(g)	becomes a mentally incapacitated person, or	21
(h)	is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable, or	22 23 24 25
(i)	is removed from office by the Minister under this clause.	26
(2)	The Minister may remove a member from office at any time.	27
7	Chairperson and Deputy Chairperson	28
(1)	The Chairperson or Deputy Chairperson vacates office as Chairperson or Deputy Chairperson if they—	29 30
(a)	are removed from the office by the Minister under this clause, or	31
(b)	resign the office by instrument in writing addressed to the Minister, or	32
(c)	cease to be a member of the Board.	33
(2)	The Minister may remove the Chairperson or Deputy Chairperson from office as Chairperson or Deputy Chairperson at any time.	34 35
8	Filling of vacancy in office of member	36
	If the office of a member becomes vacant, a person is, subject to this Act and the regulations, to be appointed to fill the vacancy.	37 38
9	Casual vacancy in office of non-GSE member	39
(1)	A casual vacancy in the office of a non-GSE member is to be filled by a person appointed by the Minister.	40 41
(2)	The person who fills the casual vacancy holds office, subject to this Act, for the remainder of the term of the member who has vacated office.	42 43

(3)	In this clause, <i>casual vacancy</i> means a vacancy that occurs other than because of the completion of a term of office.	1 2
10	Disclosure of pecuniary interests	3
(1)	A member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose at a meeting of the Board—	4 5
(a)	that the member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at the meeting, and	6 7
(b)	the nature of that interest.	8
(2)	A member is not required to disclose an interest under subclause (1) if the interest does not appear to raise a conflict with the proper performance of the member's duties in relation to consideration of the matter.	9 10 11
(3)	One or more of the following disclosures by a member at a meeting of the Board is a sufficient disclosure of the nature of the interest in any matter relating to a specified company or other body or to a specified person that may arise after the date of the disclosure and that is required to be disclosed under subclause (1)—	12 13 14 15 16
(a)	that the member is a member, or is in the employment, of that company or other body, or	17 18
(b)	that the member is a partner, or is in the employment, of that person, or	19
(c)	that the member has some other specified interest relating to that company or other body or that person.	20 21
(4)	Particulars of any disclosure made under this clause must be recorded by the Board in a book kept for the purpose and that book must be open at all reasonable hours for inspection by any person on payment of the fee determined by the Board.	22 23 24 25
(5)	After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or the Board otherwise determines—	26 27
(a)	be present during a deliberation of the Board with respect to the matter, or	28 29
(b)	take part in any decision of the Board with respect to the matter.	30
(6)	For the purposes of the making of a determination by the Board under subclause (5), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not—	31 32 33
(a)	be present during any deliberation of the Board for the purpose of making the determination, or	34 35
(b)	take part in the making by the Board of the determination.	36
(7)	A contravention of this clause does not invalidate any decision of the Board.	37
11	Effect of certain other Acts	38
(1)	The provisions of the <i>Government Sector Employment Act 2013</i> relating to the employment of Public Service employees do not apply to a non-GSE member.	39 40
(2)	A provision made by or under another Act requiring a person who is the holder of a specified office under that Act to devote the whole of his or her time to the duties of that office, or prohibiting the person from engaging in employment outside the duties of that office, does not operate to disqualify a person from—	41 42 43 44
(a)	holding the specified office and also the office of a member under this Act, or	45 46

(b)	from accepting and retaining remuneration payable to the person under this Act as a member, if any.	1 2
12	Personal liability	3
(1)	A protected person is not personally subject to any liability for anything done—	4 5
(a)	in good faith, and	6
(b)	for the purpose of executing functions under this Act.	7
(2)	The liability instead attaches to the Crown.	8
(3)	In this clause—	9
	<i>done</i> includes omitted to be done.	10
	<i>liability</i> means civil liability and includes action, claim or demand.	11
	<i>protected person</i> means—	12
(a)	the Board, or	13
(b)	a member of the Board, or	14
(c)	a person acting under the direction of the Board.	15
Part 3	Procedure	16
13	General procedure	17
	Subject to this Act and the regulations, the Board may call and conduct meetings of the Board as it determines.	18 19
14	Quorum	20
(1)	The quorum for a Board meeting is a majority of its members for the time being.	21 22
(2)	Despite subclause (1), the Board may, at a Board meeting at which a quorum is present, decide on a different number of members as the quorum for future meetings.	23 24 25
15	Presiding member	26
(1)	The Chairperson presides at a Board meeting.	27
(2)	If the Chairperson is absent from a Board meeting, the Deputy Chairperson presides at the meeting.	28 29
(3)	If the Chairperson and the Deputy Chairperson are absent from a Board meeting, another member elected by the members present at the meeting presides at the meeting.	30 31 32
16	Voting	33
(1)	A decision supported by a majority of the votes cast at a Board meeting at which a quorum is present is the decision of the Board.	34 35
(2)	If there is an equality of votes at a Board meeting, the member presiding at the meeting also has a casting vote.	36 37
17	First meeting	38
	The Minister may call the first meeting of the Board in the manner that the Chairperson thinks fit.	39 40

18 Transaction of business outside meetings or by telephone	1
(1) The Board may, if it thinks fit, transact any of its business by the circulation of papers among all the members of the Board for the time being, and a resolution in writing approved in writing by a majority of the members is taken to be a decision of the Board made at a meeting of the Board.	2 3 4 5
(2) The Board may, if it thinks fit, transact any of its business at a meeting at which members, or some members, participate by telephone or other electronic means, but only if any member who speaks on a matter before the meeting can be heard by the other members.	6 7 8 9
(3) The Chairperson and each other member have the same voting rights as they have at an ordinary meeting of the Board for the purposes of—	10 11
(a) the approval of a resolution under subclause (1), or	12
(b) a meeting held in accordance with subclause (2).	13
(4) A resolution approved under subclause (1) is, subject to the regulations, to be recorded in the minutes of the meetings of the Board.	14 15
(5) Papers may be circulated among the members for the purposes of subclause (1) by electronic means.	16 17

Schedule 2 Provisions relating to Chief Executive Officer of Venues NSW

18
19

section 16 20

1 Appointment of Chief Executive Officer of Venues NSW	21
(1) The Chief Executive Officer of Venues NSW—	22
(a) holds office for the term, not exceeding 5 years, specified in the instrument of appointment, and	23 24
(b) is eligible, if otherwise qualified, for re-appointment.	25
(2) A person is not eligible to be a Chief Executive Officer for consecutive terms totalling more than 10 years.	26 27
(3) The office of Chief Executive Officer is a full-time office and the holder of the office is required to hold it on that basis.	28 29
2 Remuneration and allowances	30
(1) The employment of the Chief Executive Officer is, subject to this Act and the regulations, to be governed by a contract of employment between the Chief Executive Officer and the Minister.	31 32 33
(2) The office of Chief Executive Officer is a statutory office and the provisions of the <i>Government Sector Employment Act 2013</i> relating to the employment of Public Service employees do not apply to that office.	34 35 36
3 Vacancy in office	37
(1) The office of Chief Executive Officer becomes vacant if the holder—	38
(a) dies, or	39
(b) completes a term of office and is not re-appointed, or	40
(c) resigns the office by instrument in writing addressed to the Minister, or	41

(d)	is nominated for election as a member of the Legislative Council or of the Legislative Assembly or as a member of a House of Parliament or a legislature of another State or Territory or of the Commonwealth, or	1 2 3
(e)	becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with the Chief Executive Officer's creditors or makes an assignment of the Chief Executive Officer's remuneration for their benefit, or	4 5 6 7
(f)	becomes a mentally incapacitated person, or	8
(g)	is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable, or	9 10 11 12
(h)	is removed from office under clause 4.	13
(2)	If the office of Chief Executive Officer becomes vacant, a person is, subject to this Act and the regulations, to be appointed to fill the vacancy.	14 15
4	Removal from office	16
	The Minister may, in consultation with the Board of Venues NSW, remove the Chief Executive Officer from office at any time.	17 18
5	Acting Chief Executive Officer	19
(1)	The Minister may, from time to time, and in consultation with the Board of Venues NSW, appoint a person to act in the office of Chief Executive Officer during—	20 21 22
(a)	the illness or absence of the Chief Executive Officer, or	23
(b)	a vacancy in the office of Chief Executive Officer.	24
(2)	The Minister may remove a person from office as acting Chief Executive Officer at any time.	25 26
(3)	An acting Chief Executive Officer is entitled to be paid the remuneration, including travelling and subsistence allowances, as the Minister may from time to time determine.	27 28 29
Schedule 3	Election of members of membership advisory committee by SCG Members	30 31
	section 21D(3)(b)	32
Part 1	Preliminary	33
1	Definitions	34
	In this Schedule—	35
	<i>close of nominations date</i> means the date and time fixed by the Returning Officer for the close of nominations for an election.	36 37
	<i>election</i> means an election, for the purposes of section 21D(3)(b), of persons to be appointed as members of the membership advisory committee constituted under section 21D(1)(a).	38 39 40
	<i>Returning Officer</i> means the person appointed by Venues NSW to be the returning officer for an election.	41 42

<i>voting SCG Member</i> means a Member of the Sydney Cricket Ground who is of a class prescribed by the regulations.	1 2
2 Conduct of election	3
An election is to be carried out in accordance with this Schedule.	4
3 Returning Officer	5
(1) Venues NSW is, by written instrument, to appoint a person as Returning Officer for the purposes of this Schedule.	6 7
(2) The Electoral Commissioner for New South Wales (or the Commissioner's delegate) may, if the Commissioner or delegate consents, be appointed as Returning Officer.	8 9 10
4 Voting entitlements	11
(1) A voting SCG Member is entitled to vote in an election.	12
(2) Voting in an election is voluntary.	13
(3) If a voting SCG Member is an organisation, the voting rights of the Member may be exercised by a person authorised by the Member to vote on the Member's behalf.	14 15 16
(4) If a voting SCG Member is an organisation and holds more than one membership of a class prescribed in the regulations—	17 18
(a) the voting SCG Member is entitled to one vote for each membership of the prescribed class held, and	19 20
(b) the voting rights attached to each vote are to be exercised by a different person authorised by the voting SCG Member to vote on the voting SCG Member's behalf.	21 22 23
Part 2 Notice of elections and nomination of candidates	24
5 Period for conducting election	25
(1) As soon as practicable after it has been determined in accordance with this Act that an election is required, Venues NSW is to notify the Returning Officer of the determination.	26 27 28
(2) An election is to be held no more than 90 days after the notification is given.	29
6 Notice of election	30
(1) The Returning Officer is to cause a notice of an election—	31
(a) to be published in the following—	32
(i) the Gazette,	33
(ii) at least one newspaper circulating generally throughout New South Wales, whether published in print or on a publicly accessible website,	34 35 36
(iii) a prominent place on Venues NSW's website, and	37
(b) to be sent by email to all voting SCG Members who have consented to receive notices and other documents relating to their SCG membership by email.	38 39 40
(2) The notice is to—	41
(a) state that the election is to be held, and	42

- (b) fix the polling day for the election, and 1
- (c) invite nominations from voting SCG Members of candidates to fill the 2
vacancies for elected members of the membership advisory committee, 3
and 4
- (d) fix the close of nominations date, being a date— 5
 - (i) at least 21 days after the giving of the notice, and 6
 - (ii) at least 30 days before the polling day for the election, and 7
- (e) state the Returning Officer's contact details for the purposes of the 8
lodgment of nominations. 9
- (3) The notice must be given at least 60 days before the polling day for the 10
election. 11
- (4) The Returning Officer may, by means of a further notice of the same kind, fix 12
a later close of nominations date than that fixed by a previous notice for the 13
election. 14

7 Nominations 15

- (1) A nomination of a candidate is to contain the following information— 16
 - (a) the full name of the candidate, 17
 - (b) the date of birth of the candidate, 18
 - (c) the residential address of the candidate, 19
 - (d) the membership card number of the candidate, 20
 - (e) a statement, signed by the candidate, in which the candidate consents 21
to— 22
 - (i) the nomination, and 23
 - (ii) the use of the information contained in the nomination for the 24
purposes of compiling a candidate information sheet, 25
 - (f) the full names, residential addresses, membership card numbers and 26
signatures of at least 6 nominators, being voting SCG Members other 27
than the candidate. 28
- (2) A nomination is to be in writing and may, if the Returning Officer specifies an 29
email address for lodgment of nominations, be in the form of an electronic 30
document sent to the email address. 31
- (3) A nomination is to be lodged with the Returning Officer before the close of 32
nominations date. 33
- (4) A voting SCG Member may nominate no more than 2 candidates in an 34
election. 35

8 No display of material supporting candidates 36

A person must not post up, exhibit or distribute on the scheduled lands 37
material in support of a candidate's candidature at an election. 38
Maximum penalty—1 penalty unit. 39

9 Uncontested elections 40

If, after the close of nominations date, the number of candidates nominated 41
does not exceed the number of persons required for election, the Returning 42
Officer is to declare the nominated candidates elected. 43

Part 3	Contested elections	1
10	When poll to be taken	2
	If, after the close of nominations date, the number of candidates nominated exceeds the number of persons required for election, a poll is to be taken.	3 4
11	Preparation of roll	5
(1)	If a poll is to be taken, the Chief Executive Officer of Venues NSW, or the Chief Executive Officer's delegate, is to certify a copy of the roll of all voting SCG Members and provide that copy to the Returning Officer.	6 7 8
(2)	The roll is to contain the following information about each voting SCG Member—	9 10
	(a) the full name of the Member,	11
	(b) the residential address of the Member or other postal address specified by the Member for the purpose of receiving notices and other documents relating to the Member's SCG membership,	12 13 14
	(c) if the Member has consented to receiving notices and other documents relating to the Member's SCG membership by email—the email address specified for that purpose.	15 16 17
(3)	The Returning Officer is to ensure that a copy of the roll is available for inspection free of charge by voting SCG Members.	18 19
(4)	A voting SCG Member is to notify the Returning Officer of administrative errors relating to the Member's entry on the roll at least 14 days before the polling day for the election.	20 21 22
12	Preparation of candidate information sheet	23
(1)	If a poll is to be taken, the Returning Officer is to compile a candidate information sheet about each nominated candidate.	24 25
(2)	The candidate information sheet is to be based on—	26
	(a) information contained in the candidate's nomination, and	27
	(b) further information voluntarily lodged by the candidate with the Returning Officer before the close of nominations date and intended for inclusion in the candidate information sheet.	28 29 30
(3)	Further information referred to in subclause (2)(b) is to be lodged as a statutory declaration in the form of the Eighth Schedule to the <i>Oaths Act 1900</i> , and may include the following—	31 32 33
	(a) the name of the candidate's employer or, if self-employed, the candidate's present position,	34 35
	(b) trade, academic or professional qualifications held by the candidate,	36
	(c) organisations of which the candidate is a member,	37
	(d) offices, other than employment, held by the candidate,	38
	(e) additional information relevant to the candidate's candidature, being no more than 4 typewritten lines.	39 40
(4)	The Returning Officer may omit or rectify information, or reduce the length of information, from the candidate information sheet that the Returning Officer considers—	41 42 43
	(a) is not appropriate for inclusion in a candidate information sheet, or	44

(b)	is misleading in any material particular, or	1
(c)	is of a length greater than the length specified in subclause (3)(e).	2
(5)	The names of the candidates must be listed on the candidate information sheet in the same order as they are listed on the ballot paper for the election.	3 4
13	Preparation of ballot paper	5
	The ballot paper must contain—	6
(a)	the full names of all candidates nominated for the election, arranged in an order determined by the Returning Officer by drawing lots, and	7 8
(b)	a box opposite and to the left of the name of each candidate.	9
14	Voting pack	10
(1)	If a poll is to be taken, the Returning Officer must provide a voting pack to each voting SCG Member at least 20 days before the polling day for the election.	11 12 13
(2)	The voting pack is to be provided—	14
(a)	to a voting SCG Member who has consented to receive notices and other documents relating to the Member's SCG membership by email— by email to the email address specified for that purpose, and	15 16 17
(b)	to any other SCG Member—by post to the Member's residential address or other postal address specified by the Member for the purpose of receiving notices and other documents relating to the Member's SCG membership.	18 19 20 21
(3)	A voting pack provided by post is to include the following—	22
(a)	a ballot paper,	23
(b)	a candidate information sheet,	24
(c)	instructions for completing and lodging a ballot paper,	25
(d)	one prepaid envelope addressed to the Returning Officer that contains, on its rear flap, spaces for the insertion of a voting SCG Member's name, address, signature and membership card number.	26 27 28
(4)	A voting pack provided electronically is to include the following—	29
(a)	a ballot paper,	30
(b)	a candidate information sheet,	31
(c)	instructions for completing and lodging a ballot paper.	32
(5)	The Returning Officer may, on written application made by a voting SCG Member, provide a duplicate voting pack to that Member if the Returning Officer is satisfied that the original voting pack has been lost or destroyed.	33 34 35
15	Voting pack instructions	36
(1)	A voting SCG Member who has received a voting pack may vote by completing and lodging a ballot paper in accordance with the instructions included in the voting pack.	37 38 39
(2)	The instructions for completing and lodging a ballot paper are to include the following information—	40 41
(a)	the polling day for the election,	42
(b)	instructions on how to cast a valid vote by prepaid envelope,	43

(c)	instructions on how to cast a valid vote electronically,	1
(d)	information about the preferential system applicable to the election,	2
(e)	any other information relating to the conduct of the election that the Returning Officer considers appropriate to include.	3
(3)	The instructions on how to cast a valid vote by prepaid envelope are to include the following further information—	5
(a)	instructions on how a voting SCG Member whose voting pack was provided electronically may obtain a prepaid envelope,	7
(b)	a statement that a ballot paper may be lodged, as an alternative to posting the ballot paper, by depositing the ballot paper in a sealed ballot box provided for that purpose at the office of Venues NSW.	9
(4)	The instructions on how to cast a valid vote electronically are to include the following further information—	12
(a)	the internet address of the voting website,	14
(b)	the information, including any applicable password, that a voting SCG Member will require to access the voting website.	15
16	Electronic voting procedures	17
	The voting website must provide a warning message to a voting SCG Member if there are errors on a ballot paper that the Member attempts to lodge electronically.	18
17	Death of candidate	21
(1)	If a candidate dies after the close of nominations date and before the polling day, the election is taken to have wholly failed and the Returning Officer is to proceed to give notice of a fresh election in accordance with clause 6.	22
(2)	If a candidate dies on or after the polling day, but before the Returning Officer advises the Chief Executive Officer and the Minister of the result of the election under clause 24, and the candidate—	25
(a)	is not elected—the candidate’s preferences are to be distributed in accordance with clause 22, or	28
(b)	is elected—the candidate who obtained the next highest number of votes is to be declared elected in place of the deceased candidate, or	30
(c)	is elected with the highest number of votes and the election was for the purpose of electing 2 candidates—the candidate who scored the third highest number of votes is to be declared elected in place of the candidate who scored the second highest number of votes.	32
Part 4	Election results	36
18	Scrutineers	37
(1)	A candidate may appoint, in writing, a scrutineer to represent that candidate.	38
(2)	Scrutineers may be present during the inspection of prepaid envelopes, the initial scrutiny of ballot papers and the counting of votes.	39
(3)	A candidate may not act as a scrutineer.	41

19	Inspection of prepaid envelopes	1
(1)	The Returning Officer is to ensure that all prepaid envelopes purporting to contain ballot papers that are received before the polling day for an election are stored securely until they are inspected.	2 3 4
(2)	On the polling day, the Returning Officer is to inspect each prepaid envelope and reject the envelope if—	5 6
(a)	the envelope does not have legibly marked on its rear flap the name, address, signature and membership card number that appear to the Returning Officer to be of a voting SCG Member, or	7 8 9
(b)	the envelope is not sealed.	10
20	Initial scrutiny of ballot papers	11
(1)	On the polling day, the Returning Officer is to—	12
(a)	examine the contents of all prepaid envelopes that were not rejected under clause 19 and all ballot papers that were lodged by deposit in a sealed ballot box in accordance with clause 15(3), and	13 14 15
(b)	review all ballot papers that were lodged electronically, and	16
(c)	reject as informal any ballot papers that, in the Returning Officer's opinion, do not comply with the applicable instructions for casting a valid vote.	17 18 19
(2)	Without limiting subclause (1)(c), the Returning Officer is to reject as informal any ballot paper—	20 21
(a)	in an election for the purpose of electing 2 candidates—if it does not have votes for 2 or more candidates indicated on it, or	22 23
(b)	in an election for the purpose of electing 1 candidate—if it does not have a vote for 1 or more candidates indicated on it.	24 25
(3)	If, in the Returning Officer's opinion, a person's voting intention is clearly indicated on the voting SCG Member's ballot paper, the Returning Officer is not to reject the ballot paper merely because the ballot paper contains an unnecessary mark.	26 27 28 29
(4)	The Returning Officer's determination of the formality or informality of a ballot paper is final.	30 31
21	Counting of votes	32
	Following the initial scrutiny carried out under clause 20, the Returning Officer is to—	33 34
(a)	count the votes recorded for each candidate on all ballot papers that were not rejected as informal in accordance with the preferential system applicable to the election, and	35 36 37
(b)	count the informal ballot papers, and	38
(c)	ascertain the results of the count, and	39
(d)	inform the persons present of the result of the count.	40
22	Preferential system	41
(1)	Ballot papers are to be counted by the Returning Officer—	42
(a)	in an election for the purpose of electing 2 candidates—according to a multi-preferential system in which preferences 1 and 2 are regarded as	43 44

primary votes and the remaining recorded preferences, if any, are regarded as secondary votes, or	1 2
(b) in an election for the purpose of electing 1 candidate—according to a preferential system in which preference 1 is regarded as a primary vote and the remaining recorded preferences, if any, are regarded as secondary votes.	3 4 5 6
(2) All preferences recorded on ballot papers are fully transferable.	7
(3) A determination by the Returning Officer relating to the manner in which an election is to be conducted is final.	8 9
23 Election not invalid despite certain omissions	10
An election is not invalid merely because—	11
(a) a voting SCG Member whose name was on the roll prepared for the election did not receive a voting pack, or	12 13
(b) the Returning Officer did not receive a ballot paper lodged by prepaid envelope and sent to the Returning Officer before the polling day for the election.	14 15 16
24 Advice of election result	17
The Returning Officer is to advise the Chief Executive Officer and the Minister of the result of the election within 7 days after the polling day.	18 19
[26] Schedule 4A	20
Insert after Schedule 4—	21
Schedule 4A Venues NSW's land	22
section 3(1)	23
Part 1 Scheduled lands	24
Division 1 Cricket and Sports Ground	25
All that piece or parcel of land containing 11.208 hectares situate at Paddington in the City of Sydney Parish of Alexandria County of Cumberland and being Portions 1528 and 1530 of that Parish.	26 27 28
Division 2 Driver Avenue (etc) land	29
All that piece or parcel of land containing 5851 square metres situate at Paddington in the City of Sydney Parish of Alexandria County of Cumberland and being Portion 1529 of that Parish.	30 31 32
Division 3 Army Engineers Depot, Moore Park	33
All that piece or parcel of land situated at Moore Park in the Parish of Alexandria and County of Cumberland containing 3.685 hectares, and being Lot 1 in Deposited Plan No 205794 and formerly being the whole of the land in Certificate of Title Volume 9079 Folio 56 but now being Crown land.	34 35 36 37
Part 2 Designated land	38
All that piece or parcel of land situated in the Parish of Alexandria County of Cumberland comprising Portion 1528, part of Portion 1530 and part of Lot 1 Deposited Plan 205794:	39 40

commencing on the eastern side of Driver Avenue at its intersection with the northern side of a right of way shown in Sydney County Council Plan of Survey dated 27 August 1980 File Number S6343; and bounded thence on the west, southwest and northwest by the eastern, northeastern and southeastern sides of Driver Avenue bearing successively 356 degrees 20 seconds 165.48 metres, 355 degrees 36 minutes 68.37 metres, 308 degrees 41 minutes 114.89 metres, 322 degrees 20 minutes 20.115 metres, 346 degrees 20 minutes 20.115 metres, 4 degrees 50 minutes 20.115 metres and 18 degrees 20 minutes 75.74 metres to the intersection of the southeastern side of Driver Avenue with the southwestern side of Moore Park Road; on the northeast by the southwestern side of Moore Park Road bearing successively 103 degrees 22 minutes 30 seconds 50.27 metres, 106 degrees 8 minutes 95.72 metres, 110 degrees 16 minutes 30 seconds 60.13 metres, 113 degrees 4 minutes 27.62 metres, 113 degrees 30 minutes 22.53 metres, 114 degrees 32 minutes 7.15 metres, 115 degrees 40 seconds 21.54 metres, 116 degrees 34 minutes 20 seconds 21.33 metres, 117 degrees 44 minutes 30 seconds 18.18 metres, 119 degrees 56 minutes 20.45 metres, 121 degrees 56 minutes 40 seconds 32.105 metres, 123 degrees 41 minutes 18.3 metres, 125 degrees 29 minutes 30 seconds 22.755 metres, 126 degrees 51 minutes 30 seconds 15.405 metres, 125 degrees 23 minutes 13.72 metres and 122 degrees 24 minutes 19.065 metres to the northeastern corner of the land occupied, as at the date of assent to the *Sydney Cricket and Sports Ground (Amendment) Act 1985*, by the Department of the Army; on the southeast by a fenced line on the northwestern side of the bitumen sealed access walkway to the Sydney Showground bearing 217 degrees 37 minutes 40 seconds 144.4 metres to the corner of brick garages; along the southeastern face of those brick garages bearing successively 217 degrees 25 minutes 30 seconds 34.65 metres to the angle in the southeastern wall of the garages and a line bearing 231 degrees 46 minutes 30 seconds 39.91 metres; on the south by the southern face of a brick building and prolongation thereof bearing 262 degrees 27 minutes 14.23 metres and a line bearing 262 degrees 55 minutes 40 seconds 10.415 metres to the southeastern corner of the brick wall around the tennis courts, along the southern face of that brick wall to its southwestern corner bearing 262 degrees 12 minutes 30 seconds 37.77 metres and a line bearing 243 degrees 28 minutes 15.465 metres to the northern side of the Sydney County Council right of way aforesaid; generally on the southeast by lines along the generally northwestern sides of the right of way aforesaid bearing 265 degrees 52 minutes 5.8 metres, 262 degrees 29 minutes 7.16 metres, 259 degrees 21 minutes 6.875 metres, 256 degrees 28 minutes 6.955 metres, 253 degrees 1 minute 6.95 metres, 250 degrees 24 minutes 6.81 metres, 246 degrees 11 minutes 11.685 metres, 191 degrees 16 minutes 15.97 metres, 234 degrees 33 minutes 59.24 metres and 266 degrees 7.08 metres to the point of commencement and containing in all an area of 9.832 hectares or thereabout.

Part 3 Controlled land

All that piece or parcel of land situated in the Parish of Alexandria County of Cumberland comprising part of Portion 1528 and part of Portion 1530 being part of the land in Schedule 2A: commencing on the southeastern side of Driver Avenue at its intersection with the southwestern side of Moore Park Road bounded thence on the northeast by the southwestern side of Moore Park Road bearing successively 102 degrees 6 minutes 50.27 metres, 104 degrees 51 minutes 30 seconds 95.72 metres, 109 degrees 60.13 metres and 111 degrees 47 minutes 30 seconds 23.475 metres to the intersection of the southwestern side of Moore Park Road with the northeastern face of a concrete kerb; on the northeast by the northeastern face of a concrete kerb and the prolongation thereof bearing 161 degrees 29 minutes 30 seconds 34.945 metres to the corner of a concrete pavement; on the southeast by a line joining the corner of a concrete pavement to the northeastern corner of a brick wall bearing 246 degrees 23 minutes 20 seconds 19.1 metres; along the southeastern face of a brick wall bearing successively 243 degrees 40 minutes 2.275 metres, 238 degrees 34 minutes 9.515 metres and 233 degrees 19 minutes 5.36 metres to the southeastern corner of a brick wall; by a line joining the southeastern corner of a brick wall to the northeastern corner of a brick wall bearing 230 degrees 52 minutes 10.745 metres; along the southeastern

face of a brick wall bearing successively 229 degrees 10 minutes 4.965 metres and 222 degrees 22 minutes 3.77 metres; by a line joining the southeastern corner of a brick wall to the northeastern corner of a brick wall bearing 222 degrees 11 minutes 2.305 metres; along the southeastern face of a brick wall bearing 222 degrees 24 minutes 14.915 metres; by a line joining the southeastern corner of a brick wall to the northeastern corner of a concrete kerb bearing 209 degrees 55 minutes 7.16 metres; along the southeastern face of a concrete kerb bearing successively 209 degrees 27 minutes 12.315 metres, 202 degrees 37 minutes 11.73 metres, 200 degrees 19 minutes 9.26 metres and 192 degrees 25 minutes 8.805 metres; along the southeastern face of a brick wall bearing 189 degrees 13 minutes 2.62 metres; on the south by the southern face of a brick wall bearing 277 degrees 45 minutes 4.53 metres; on the southeast by the southeastern face of a timber retaining wall bearing 252 degrees 25 minutes 4.03 metres; on the east by the eastern edge of a concrete dish drain bearing 186 degrees 36 minutes 14.26 metres; on the south by the southern face of a concrete kerb bearing 273 degrees 34 minutes 10 seconds 58.155 metres to the intersection of the kerb and the eastern side of Driver Avenue; on the southwest, west and northwest by the northeastern, eastern and southeastern sides of Driver Avenue bearing successively 307 degrees 24 minutes 30 seconds 114.89 metres, 321 degrees 3 minutes 30 seconds 20.115 metres, 345 degrees 3 minutes 30 seconds 20.115 metres, 3 degrees 33 minutes 30 seconds 20.115 metres and 17 degrees 3 minutes 30 seconds 75.74 metres to the point of commencement and containing in all an area of 3.2 hectares or thereabout.

Part 4 Venues

Illawarra Region

Lot 143 in Deposited Plan 786508 23
Lot 1 in Deposited Plan 1091530 24
Lot 6 in Deposited Plan 1091530 25
Lot 7 in Deposited Plan 1091530 26
Lot 96 in Deposited Plan 751299 27
Lot 101 in Deposited Plan 872951 28

Newcastle Region

Lot 31 in Deposited Plan 1091407 30
Lot 32 in Deposited Plan 1091407 31
Lot 3238 in Deposited Plan 1013870 32
Lot 3239 in Deposited Plan 1013870 33
Lot 3241 in Deposited Plan 1013870 34
Lot 3242 in Deposited Plan 1013870 35
Lot 3243 in Deposited Plan 1013870 36
Lot 3244 in Deposited Plan 1013870 37
Lot 3245 in Deposited Plan 1013870 38
Lot 3235 in Deposited Plan 821124 39
Lot 7322 in Deposited Plan 1159253 40
Lot 3236 in Deposited Plan 821124 41
Lot 3284 in Deposited Plan 1049501 42
Lot 7302 in Deposited Plan 1143612 43
Lot 7303 in Deposited Plan 1143612 44
Lot 2498 in Deposited Plan 755247 45
Lot 2583 in Deposited Plan 755247 46

Lot A in Deposited Plan 186497	1
Parramatta Region	2
Lot 963 in Deposited Plan 42643	3
[27] Schedule 5 Savings, transitional and other provisions	4
Insert after Part 5—	5
Part 6 Provisions consequent on enactment of Sporting Venues Authorities Amendment (Venues NSW) Act 2020	6
	7
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Division 1 Introduction	9
21 Interpretation	10
(1) In this Part—	11
<i>amending Act</i> means the <i>Sporting Venues Authorities Amendment (Venues NSW) Act 2020</i> .	12
<i>existing Venues NSW</i> —see clause 24.	13
<i>instrument</i> means an instrument, except this Act or an instrument made under this Act, or any other document that creates, modifies or extinguishes rights or liabilities, or would do so if lodged, filed or registered in accordance with any law, and includes any judgment, order, process or other instrument issued by a court or tribunal.	14
<i>Local Venues Council</i> means an advisory committee that was, under clause 18(1) of this Schedule, taken to be established by the Minister under section 33A(2) as in force before the repeal day.	15
<i>reconstituted Venues NSW</i> —see clause 24.	16
<i>repeal day</i> means the day on which the <i>Sydney Cricket and Sports Ground Act 1978</i> is repealed by this Act.	17
<i>Sydney Cricket and Sports Ground Trust</i> means the Sydney Cricket and Sports Ground Trust constituted by the <i>Sydney Cricket and Sports Ground Act 1978</i> before its repeal.	18
(2) If this Act provides for an event or other thing to occur on a particular day, that event or thing is taken to occur at the beginning of the day.	19
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Division 2 Dissolution or reconstitution of certain bodies	31
22 Dissolution of Sydney Cricket Ground Trust	32
(1) On and from the repeal day—	33
(a) the Sydney Cricket and Sports Ground Trust is dissolved, and	34
(b) the Trust's assets, rights and liabilities immediately before its dissolution are transferred to reconstituted Venues NSW.	35
(2) Division 4 applies to a transfer of assets, rights and liabilities under this clause.	36
23 Dissolution of Local Venues Council	37
(1) On and from the repeal day—	38
(a) each Local Venues Council is dissolved, and	39
	40

(b)	the Council's assets, rights and liabilities immediately before its dissolution are transferred to reconstituted Venues NSW.	1 2
(2)	Division 4 applies to a transfer of assets, rights and liabilities under this clause.	3
24	Reconstitution of Venues NSW	4
(1)	On and from repeal day—	5
(a)	Venues NSW as in existence immediately before the repeal day (<i>existing Venues NSW</i>) is taken to have been reconstituted by section 12 of this Act, as inserted by the amending Act, as a corporation with the same name (<i>reconstituted Venues NSW</i>), and	6 7 8 9
(b)	the board of management of existing Venues NSW is dissolved.	10
(2)	Reconstituted Venues NSW is taken for all purposes, including the rules of private international law, to be a continuation of, and the same legal entity as, the existing Venues NSW.	11 12 13
	Note. As a result of this subclause, reconstituted Venues NSW retains all the assets, rights and liabilities of existing Venues NSW.	14 15
Division 3	Members of dissolved or reconstituted bodies	16
25	Abolition of certain offices	17
(1)	Each of the following offices are abolished (an <i>abolished office</i>) on and from the repeal day—	18 19
(a)	member of the Sydney Cricket Ground Trust,	20
(b)	member of the board of management of existing Venues NSW,	21
(c)	member of a Local Venues Council.	22
(2)	Accordingly, a person who held an abolished office immediately before its abolition ceases to hold the office on and from the repeal day.	23 24
(3)	A person who ceases to hold an abolished office because of this clause—	25
(a)	is not entitled to any remuneration or compensation because of the loss of the office, and	26 27
(b)	is eligible, if qualified, to be appointed as a member of the Board of reconstituted Venues NSW.	28 29
(4)	Section 21D requires reconstituted Venues NSW to invite persons mentioned in subclause (1)(a) or (b) to become members of a membership advisory committee if they are not appointed members of the Board of reconstituted Venues NSW.	30 31 32 33
(5)	A person invited to be a member of a membership advisory committee—	34
(a)	is taken to be appointed for the balance of the term for which the person was appointed to the abolished office, and	35 36
(b)	is entitled, despite section 21C(3), to payment of the remuneration and allowances, if any, determined by the Minister during the period.	37 38
Division 4	Transfers of assets, rights and liabilities	39
26	Application	40
	This Division applies to the transfer of assets, rights or liabilities made by another provision of this Part if the provision provides for this Division to apply.	41 42 43

27 Interpretation	1
In this Division, the person or body from which any assets, rights or liabilities are transferred is called the <i>transferor</i> and the person or body to which they are transferred is called the <i>transferee</i> .	2 3 4
28 Vesting in transferee	5
(1) When any assets, rights or liabilities are transferred by a transfer to which this Division applies, the following provisions have effect—	6 7
(a) the assets of the transferor vest in the transferee by virtue of this clause and without the need for any further conveyance, transfer, assignment or assurance,	8 9 10
(b) the rights or liabilities of the transferor become by virtue of this Division the rights or liabilities of the transferee,	11 12
(c) all proceedings relating to the assets, rights or liabilities commenced before the transfer by or against the transferor or a predecessor of the transferor and pending immediately before the transfer are taken to be proceedings pending by or against the transferee,	13 14 15 16
(d) any act, matter or thing done or omitted to be done in relation to the assets, rights or liabilities before the transfer by, to or in respect of the transferor or a predecessor of the transferor is, to the extent to which that act, matter or thing has any force or effect, taken to have been done or omitted by, to or in respect of the transferee,	17 18 19 20 21
(e) the transferee has all the entitlements and obligations of the transferor in relation to the assets, rights and liabilities that the transferor would have had but for the transfer, whether or not the entitlements and obligations were actual or potential at the time the transfer took effect,	22 23 24 25
(f) a reference in any Act, in any instrument made under any Act or in any document of any kind to—	26 27
(i) the transferor, or	28
(ii) any predecessor of the transferor,	29
to the extent to which the reference relates to the assets, rights or liabilities, is taken to be, or include, a reference to the transferee.	30 31
(2) The operation of this Division is not to be regarded as—	32
(a) a breach of contract or confidence or otherwise as a civil wrong, or	33
(b) a breach of any contractual provision prohibiting, restricting or regulating the assignment or transfer of assets, rights or liabilities, or	34 35
(c) giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a change in the beneficial or legal ownership of any asset, right or liability, or	36 37 38
(d) an event of default under any contract or other instrument.	39
(3) No attornment to the transferee by a lessee from the transferor is required.	40
29 No compensation payable	41
No compensation is payable to any person or body in connection with a transfer to which this Division applies.	42 43

30	Date of vesting	1
	A transfer of assets, rights or liabilities to which this Division applies takes effect on the day specified by the provision of this Part that gives rise to the transfer.	2 3 4
31	State taxes not chargeable	5
(1)	State tax is not payable in relation to—	6
(a)	an exempt matter, or	7
(b)	anything done because of, or for a purpose connected with or arising out of, an exempt matter.	8 9
(2)	In this clause—	10
	<i>exempt matter</i> means any of the following—	11
(a)	the transfer of any assets, rights or liabilities by operation of this Division, including, without limitation, any instrument executed only for a purpose ancillary to or consequential on the operation of this Division,	12 13 14 15
(b)	anything certified by the Minister in writing as having been done in consequence of the transfer, for example, the transfer or registration of an interest in land.	16 17 18
	<i>State tax</i> means application or registration fees, duty or any other tax, fee or charge imposed by any legislation or other law of the State.	19 20
32	Confirmation of vesting	21
(1)	The Minister may, by written notice, confirm a transfer of particular assets, rights or liabilities by operation of this Part.	22 23
(2)	The notice is conclusive evidence of that transfer.	24
Division 5	Regulatory authorisations	25
33	Transfer of certain regulatory authorisations	26
(1)	This clause applies to a regulatory authorisation held by or on behalf of the Sydney Cricket Ground Trust or a Local Venues Council (an <i>existing regulatory authorisation</i>).	27 28 29
(2)	An existing regulatory authorisation becomes a regulatory authorisation of reconstituted Venues NSW (the <i>transferred regulatory authorisation</i>) on and from the repeal day for the purposes of the Act or statutory rule (the <i>relevant State legislation</i>) under which the existing regulatory authorisation was issued.	30 31 32 33 34
(3)	The provisions of the relevant State legislation apply to reconstituted Venues NSW in relation to a transferred regulatory authorisation, subject to any modifications prescribed by the regulations.	35 36 37
(4)	The Minister must not recommend the making of a regulation for the purposes of subclause (3) unless the Minister administering the Act or statutory rule proposed to be modified has consented to the modification concerned.	38 39 40
(5)	A person or body (a <i>regulatory body</i>) that has the function under the relevant State legislation of issuing regulatory authorisations of the same kind as a transferred regulatory authorisation must, at the request of reconstituted Venues NSW, re-issue the transferred regulatory authorisation in the name of	41 42 43 44

reconstituted Venues NSW with substantially the same terms, conditions and endorsements as the transferred regulatory authorisation.	1 2
(6) No fee or charge is payable by reconstituted Venues NSW to a regulatory body for the exercise of a function by the regulatory body in connection with the transfer or re-issue of a regulatory authorisation by operation of this clause.	3 4 5
(7) In this clause— <i>issued</i> includes given. <i>regulatory authorisation</i> means a licence, permit, consent, entitlement, accreditation or other authority under an Act or statutory rule, and includes, but is not limited to, the following—	6 7 8 9 10
(a) a licence under the <i>Liquor Act 2007</i> ,	11
(b) a licence under the <i>Water Management Act 2000</i> ,	12
(c) a master licence under the <i>Security Industry Act 1997</i> ,	13
(d) registration of a plant under the <i>Work Health and Safety Regulation 2017</i> ,	14 15
(e) registration of a vehicle issued under the <i>Road Transport Act 2013</i> ,	16
(f) a licence, permit, consent, entitlement, accreditation or other authority of a kind prescribed by the regulations.	17 18
Division 6 Employees	19
34 Employees of Sydney Cricket and Sports Ground Trust	20
(1) The persons employed under the <i>Sydney Cricket and Sports Ground Act 1978</i> in the Sydney Cricket and Sports Ground Trust immediately before the repeal day are transferred to the employment of reconstituted Venues NSW.	21 22 23
(2) A transfer of employment under this clause does not require the consent of the employee transferred.	24 25
35 Employees of Public Service transferred to reconstituted Venues NSW	26
(1) The Minister may, by written order, transfer to reconstituted Venues NSW a person employed in a public sector agency who is designated by the Minister to be a person required for the purposes of enabling reconstituted Venues NSW to exercise its functions. Note. Employees of existing Venues NSW continue as employees of reconstituted Venues NSW because of clause 24.	27 28 29 30 31 32
(2) On the day specified in the order—	33
(a) the person ceases to be an employee of the public sector agency, and	34
(b) the person becomes an employee of reconstituted Venues NSW.	35
(3) A transfer of employment under this clause does not require the consent of the employee transferred.	36 37
(4) The following provisions apply in relation to the transfer of a person's employment under this clause—	38 39
(a) the transfer has effect despite any other law, contract or instrument under a law,	40 41
(b) the transfer does not constitute a retrenchment, redundancy or termination of employment at the initiative of the Crown or public sector agency,	42 43 44

- (c) the person transferred is not entitled to any payment or other benefit by reason only of having ceased to be an employee of a public sector agency as a result of the transfer, 1
2
3
- (d) a public sector agency is not required to make any payment to the transferred person in relation to the transferred person's accrued rights in respect of annual leave, sick leave or extended or long service leave. 4
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- (5) This clause is repealed on the day that is 12 months after the commencement of the clause. 7
8
- (6) In this clause, *public sector agency* means each of the following— 9
- (a) the State, including the Crown in right of the State, 10
- (b) a Minister, 11
- (c) a State owned corporation within the meaning of the *State Owned Corporations Act 1989*, 12
13
- (d) a public authority of the State, 14
- (e) a wholly owned subsidiary of a public sector agency, 15
- (f) any other person acting on behalf of the State or the Crown in right of the State. 16
17
- 36 Provisions applying to transferred employees** 18
- (1) The following provisions apply in relation to an employee transferred to reconstituted Venues NSW under this Division— 19
20
- (a) the employee is entitled to continue as a contributor, member or employee for the purposes of any superannuation scheme in respect of which they were a contributor, member or employee, as an employee of the current employer, immediately before the transfer of employment and remains so entitled subject to any variation to that entitlement made either by agreement or otherwise in accordance with law, 21
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- (b) reconstituted Venues NSW is taken to be an employer for the purposes of any superannuation scheme in respect of which the employee continues as a contributor, member or employee pursuant to an entitlement under this clause, 27
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- (c) the employee retains their rights to annual leave, extended or long service leave or sick leave accrued or accruing immediately before the transfer of employment, 31
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33
- (d) the continuity of employment of the employee is not broken by the transfer of employment, 34
35
- (e) service of the employee with the body from which the employee was transferred, including any service taken to be service as an employee, that is continuous service up to the time of the transfer of employment is, for all purposes, service with reconstituted Venues NSW, 36
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- (f) the conditions of employment applying to the employee immediately before the transfer of employment, whether under a State industrial instrument or contract of employment, continue to apply to the employee until the time that provision is otherwise made in accordance with any other Act or law. 40
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- (2) For an employee transferred under clause 35, subclause (1)(f) extends to the provisions, in force as at the repeal day, of regulations made under the *Government Sector Employment Act 2013* and the government sector 45
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employment rules that confer or impose conditions of employment or engagement on Public Sector employees in relation to the following matters—	1
(a) probation,	2
(b) security and other clearances,	3
(c) health clearances or assessments,	4
(d) requirements not to undertake other paid work without permission and to report charges and convictions for serious offences,	5
(e) absences from duty,	6
(f) the payment of increments,	7
(g) fitness for duty,	8
(h) the payment of allowances for temporary assignments to higher roles.	9
(3) For the purposes of subclause (2), a reference in a provision of the regulations or the rules referred to in the subclause—	10
(a) to a Public Service employee is taken to include a reference to an employee transferred under clause 35, and	11
(b) to the head of a Public Service agency or to the employer of a Public Service employee is taken to include a reference to reconstituted Venues NSW.	12
37 Operation of Commonwealth law	13
(1) A provision of this Division, including a provision to the extent it imposes or continues a term or condition of employment, has no effect to the extent of any inconsistency with the <i>Fair Work Act 2009</i> of the Commonwealth.	14
(2) To avoid doubt, this clause does not limit the application of the provisions of this Part in relation to reconstituted Venues NSW if reconstituted Venues NSW is declared to be a non-national scheme employer under section 9A of the <i>Industrial Relations Act 1996</i> .	15
Division 7 Miscellaneous	16
38 Reference to Schedule 3 in section 30A	17
A reference in section 30A to Schedule 3 is taken, on and from the repeal day, to be a reference to Schedule 3 as in force immediately before the substitution of the Schedule by the amending Act.	18
39 Authorised persons under Sydney Cricket Ground and Sydney Football Stadium By-law 2014	19
A person who was authorised by the Sydney Cricket and Sports Ground Trust for a function referred to in Part 6 or 7 the <i>Sydney Cricket Ground and Sydney Football Stadium By-law 2014</i> immediately before its repeal is taken, on and from the repeal day, to have been appointed as a ranger under section 37 of this Act.	20
40 References to dissolved, abolished or reconstituted bodies or offices	21
(1) Unless the regulations provide differently, a reference in any instrument to any of the following is, on and from the repeal day, to be read as including a reference to reconstituted Venues NSW—	22
(a) the Sydney Cricket and Sports Ground Trust,	23
(b) existing Venues NSW,	24

- (c) a Local Venues Council. 1
- (2) The regulations may make provision for or with respect to how references in 2
instruments to bodies or offices dissolved, abolished or reconstituted by this 3
Part should be read. 4

Schedule 2	Amendment of Sydney Olympic Park Authority Act 2001 No 57	1
		2
Schedule 5		3
Insert after Schedule 4—		4
Schedule 5	Transfer of assets, rights and liabilities of Authority	5
		6
1	Interpretation	7
(1)	In this Schedule—	8
	<i>public sector agency</i> means the following—	9
(a)	the State, including the Crown in right of the State,	10
(b)	a Minister,	11
(c)	a State owned corporation within the meaning of the <i>State Owned Corporations Act 1989</i> ,	12
(d)	a public authority of the State,	13
(e)	any other person acting on behalf of the State or the Crown in right of the State.	14
(2)	A term used in this Schedule that is defined in Schedule 8, Part 3 has the same meaning in this Schedule.	15
		16
2	Transfer of specified assets, rights and liabilities by order	17
		18
(1)	The Governor may, by written order, transfer to a public sector agency any assets, rights and liabilities of the Authority specified in the order.	19
(2)	The order is to be published in the Gazette.	20
		21
3	Vesting in public sector agency	22
		23
(1)	If assets, rights or liabilities are transferred by an order to which this Schedule applies, the following provisions have effect—	24
		25
(a)	the assets of the Authority vest in the public sector agency by virtue of this clause and without the need for any further conveyance, transfer, assignment or assurance,	26
		27
(b)	the rights or liabilities of the Authority become by virtue of this Schedule the rights or liabilities of the public sector agency,	28
		29
(c)	proceedings relating to the assets, rights or liabilities commenced before the transfer by or against the Authority and pending immediately before the transfer are taken to be proceedings pending by or against the public sector agency,	30
		31
(d)	an act, matter or thing done or omitted to be done in relation to the assets, rights or liabilities before the transfer by, to or in relation to the Authority, to the extent to which that act, matter or thing has any force or effect, is taken to have been done or omitted by, to or in relation to the public sector agency,	32
		33
		34
(e)	the public sector agency has the entitlements and obligations of the Authority in relation to the assets, rights and liabilities that the Authority would have had but for the transfer, whether or not the	35
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entitlements and obligations were actual or potential at the time the transfer took effect,	1
	2
(f) a reference in any Act, in any instrument made under any Act or in any document of any kind to the Authority is taken to be, or include, a reference to the public sector agency to the extent to which the reference relates to the assets, rights or liabilities.	3
	4
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	6
(2) The operation of this Schedule is not to be regarded as—	7
(a) a breach of contract or confidence or otherwise as a civil wrong, or	8
(b) a breach of a contractual provision prohibiting, restricting or regulating the assignment or transfer of assets, rights or liabilities, or	9
	10
(c) giving rise to any remedy by a party to an instrument, or as causing or permitting the termination of any instrument, because of a change in the beneficial or legal ownership of an asset, right or liability, or	11
	12
	13
(d) an event of default under any contract or other instrument.	14
(3) No attornment to the transferee by a lessee from the transferor is required.	15
4 No compensation payable	16
No compensation is payable to a person or body in connection with a transfer by an order to which this Schedule applies except to the extent, if any, to which the order giving rise to the transfer provides.	17
	18
	19
5 Transfer of interests in land	20
(1) An order may transfer an interest in respect of land vested in the Authority without transferring the whole of the interests of the Authority in that land.	21
	22
(2) If the interest transferred is not a separate interest, the instrument operates to create the interest transferred under the terms that are specified in the instrument.	23
	24
	25
(3) This clause does not limit any other provision of this Act.	26
6 Date of vesting	27
A transfer of assets, rights or liabilities to which this Schedule applies takes effect on the day specified in the order.	28
	29
7 Consideration for vesting	30
The Governor may, by written order, specify—	31
(a) the consideration on which a transfer to which this Schedule applies is made, and	32
	33
(b) the value or values at which the assets, rights or liabilities are transferred.	34
	35
8 State taxes not chargeable	36
(1) State tax is not payable in relation to—	37
(a) an exempt matter, or	38
(b) anything done because of, or for a purpose connected with or arising out of, an exempt matter.	39
	40
(2) In this clause—	41
<i>exempt matter</i> means any of the following—	42

(a)	the transfer of assets, rights or liabilities by operation of this Schedule, including, without limitation, an instrument executed only for a purpose ancillary to or consequential on the operation of this Schedule,	1 2 3
(b)	anything certified by the Minister in writing as having been done in consequence of the transfer.	4 5
	<i>State tax</i> means application or registration fees, or other duties, taxes, fees or charges imposed under the legislation or other law of the State.	6 7
9	Confirmation of vesting	8
(1)	The Minister may, by written notice, confirm a transfer of particular assets, rights or liabilities by operation of this Schedule.	9 10
(2)	The notice is conclusive evidence of that transfer.	11
10	Effect of transfer	12
	To avoid doubt, this Act (apart from this Schedule) ceases to apply to an asset, right or liability transferred by operation of this Schedule.	13 14

Schedule 3	Amendment of other legislation	1
3.1	Criminal Procedure Regulation 2017	2
	Schedule 3 NSW Government agencies and statutory bodies required to pay court fees	3
	Omit paragraph (g) from the matter relating to the Department of Industry.	4
		5
3.2	First State Superannuation Act 1992 No 100	6
	Schedule 1 Employers	7
	Omit “Sydney Cricket and Sports Ground Trust”. Insert instead “Venues NSW”.	8
3.3	Government Advertising Regulation 2018	9
	Clause 8 Exemption from restrictions on Government advertising campaigns during pre-election period	10
	Omit clause 8(2)(n).	11
		12
3.4	Local Government Act 1993 No 30	13
	Section 556 What land is exempt from all rates, other than water supply special rates and sewerage special rates?	14
	Omit section 556(1)(m). Insert instead—	15
	(m) land that is vested in the Crown or Venues NSW and is described in Schedule 4A, Parts 1, 2 or 3 of the <i>Sporting Venues Authorities Act 2008</i> and is used or occupied for the purposes of or in accordance with that Act,	16
		17
		18
		19
		20
3.5	Protection of the Environment Operations (General) Regulation 2009	21
	Clause 90 Outdoor entertainment activities	22
	Omit clause 90(1)(e). Insert instead—	23
	(e) Venue’s NSW land within the meaning of the <i>Sporting Venues Authorities Act 2008</i> ,	24
		25
3.6	Public Finance and Audit Act 1983 No 152	26
	Schedule 2 Statutory bodies	27
	Omit “Sydney Cricket and Sports Ground Trust”.	28
3.7	Sporting Venues Authorities Regulation 2019	29
[1]	Clause 5 Removal of persons from sporting venues	30
	Insert after clause 5(1)(c)—	31
	(c1) contravening the Act or this Regulation, or	32
[2]	Clause 5(4A)	33
	Insert after clause 5(4)—	34

(4A)	Venues NSW or a ranger may call in the aid of a police officer for the removal of a person from land, or a facility on land, vested in or managed by a sporting venues authority.	1 2 3
[3] Clauses 7 and 8		4
	Omit the clauses.	5
[4] Clause 9 Advisory committees		6
	Omit “section 33A(7)”. Insert instead “21C(5)(d)”.	7
[5] Clause 9(2)		8
	Insert at the end of clause 9—	9
	(2) This clause does not apply to a member who is appointed to a membership advisory committee under section 21D(3)(a) of the Act.	10 11
[6] Clause 10 Local Venues Councils		12
	Omit the clause.	13
3.8 Sporting Venues (Invasions) Regulation 2016		14
	Clause 4 Designated sporting venues	15
	Insert at the end of the clause, with appropriate numbering—	16
	Sydney Cricket Ground at Driver Avenue, Moore Park,	17
	Sydney Football Stadium at Driver Avenue, Moore Park.	18
3.9 State Authorities Non-contributory Superannuation Act 1987 No 212		19
	Schedule 1 Employers	20
	Omit “Sydney Cricket and Sports Ground Trust” from Part 1.	21
	Insert instead “Venues NSW”.	22
3.10 State Authorities Superannuation Act 1987 No 211		23
	Schedule 1 Employers	24
	Omit “Sydney Cricket and Sports Ground Trust” from Part 1.	25
	Insert instead “Venues NSW”.	26
3.11 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008		27 28
	Clause 2.127 Specified development	29
	Omit “Schedule 2 to the <i>Sydney Cricket and Sports Ground Act 1978</i> ”.	30
	Insert instead “Schedule 4A, Part 1 of the <i>Sporting Venues Authorities Act 2008</i> ”.	31
3.12 State Environmental Planning Policy (Infrastructure) 2007		32
	Clause 58I Exempt development	33
	Omit “Schedule 2 to the <i>Sydney Cricket and Sports Ground Act 1978</i> ”.	34

Insert instead “Schedule 4A, Part 1 of the <i>Sporting Venues Authorities Act 2008</i> ”.	1
3.13 State Environmental Planning Policy (State and Regional Development) 2011	2 3
Schedule 2 State significant development—identified sites	4
Omit “Part 1 of Schedule 2 to the <i>Sydney Cricket and Sports Ground Act 1978</i> ” from clause 7(b).	5 6
Insert instead “Schedule 4A, Part 1, Division 1 of the <i>Sporting Venues Authorities Act 2008</i> ”.	7 8
3.14 Water Savings Order 2005	9
[1] Schedule 1 Designated water users—businesses	10
Omit the matter relating to Sydney Cricket and Sports Ground Trust.	11
[2] Schedule 1	12
Insert in alphabetical order—	13 14
Venues NSW	Sydney Cricket Ground, Driver Avenue, Moore Park