



New South Wales

# Major Events Amendment Bill 2022

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.  
This Bill is cognate with the *Motor Sports Bill 2022*.

## Overview of Bill

The objects of this Bill are to amend the *Major Events Act 2009* (*the Act*) as follows—

- (a) to simplify the process for the application of various provisions of the Act to a major event by requiring certain matters to be prescribed by the regulations rather than requiring an order of the Minister to be published in the Gazette,
- (b) to insert a new definition of *major event area* to replace the definition of *major event venue or facility*,
- (c) to enable development for the purposes of a major event to be taken to be exempt development for the purposes of the *Environmental Planning and Assessment Act 1979* with the approval of the Minister,
- (d) to enable the regulations to place limitations on the delegation of key regulatory functions by a responsible authority to a person outside the government sector,
- (e) to reflect technological changes,
- (f) to make other minor and consequential 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 the date of assent to the proposed Act.

## Schedule 1 Amendment of Major Events Act 2009 No 73

**Schedule 1[1] and [3]** change the defined term *major event venue or facility* to *major event area* and provide for the Minister, by order published in the Gazette, to declare an area to be the major event area for a major event. **Schedule 1[2], [9], [15], [21], [23]–[25], [27] and [33]** make consequential amendments.

**Schedule 1[7] and [8]** require public notices relating to road closures to be published on the website of TfNSW. **Schedule 1[11]** requires declarations of the responsible authority enabling the removal of unattended motor vehicles or trailers from certain areas to be published on the website of TfNSW. These notices and declarations are currently required to be published in a newspaper.

**Schedule 1[10] and [19]** recast existing provisions without significant changes.

**Schedule 1[12]** enables the regulations to prescribe an area as a controlled area for a major event and **Schedule 1[13]** makes a consequential amendment. **Schedule 1[16]** enables the regulations to prescribe an area as an advertising controlled site for a major event and **Schedule 1[17] and [18]** make consequential amendments. The relevant provisions of the Act currently require an order of the Minister published in the Gazette to identify or designate a controlled area or advertising controlled site for a major event.

**Schedule 1[14] and [32]** consolidate various definitions of *authorised officer* into a single provision for the authorisation of persons as authorised officers. **Schedule 1[1]** makes a consequential amendment.

**Schedule 1[20]** amends the definition of *aircraft* to include drones or other unmanned aerial vehicles for the purposes of a provision prohibiting certain aerial advertising.

**Schedule 1[22]** enables the regulations to prescribe the official insignia and official title of a major event, rather than requiring the publication of a notice in the Gazette for these purposes.

**Schedule 1[26]** enables certain matters that would otherwise be development or an activity within the meaning of the *Environmental Planning and Assessment Act 1979* (the *Planning Act*) to be taken to be exempt development for the purposes of the Planning Act. The responsible authority for the major event must obtain written approval from the Minister to carry out the major event activity and the major event activity must be carried out in accordance with the Minister's written approval. The current provisions are limited to the application of environmental planning instruments and development consents under the Planning Act.

**Schedule 1[29]** provides that compensation is not payable for economic loss by or on behalf of a person prescribed as the promoter of a major event for an act or omission that is a major event-related matter or that arises, directly or indirectly, from a major event-related matter. The proposed provision does not apply to acts causing the death of a person, personal injury to a person or damage to property. In addition, the proposed provision does not affect compensation payable by the promoter under an indemnity or other agreement. **Schedule 1[1], [5] and [6]** make consequential amendments.

**Schedule 1[30]** enables the regulations to prohibit the delegation, by a responsible authority, of its key regulatory functions to a person other than a member of staff of the responsible authority, a government agency or member of staff of a government agency or a member of the NSW Police Force. **Schedule 1[31]** inserts a definition of *key regulatory function*, being a function prescribed by the regulations as a key regulatory function.

**Schedule 1[35] and [36]** update references to superseded technology. **Schedule 1[34]** makes a consequential amendment.

**Schedule 1[4]** makes a minor amendment. **Schedule 1[28]** makes a minor amendment to a heading.