



New South Wales

# State Emergency and Rescue Management Amendment Act 2024 No 78

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# State Emergency and Rescue Management Amendment Act 2024 No 78

Act No 78, 2024

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An Act to amend the *State Emergency and Rescue Management Act 1989* to enable the temporary closure of roads by emergency services organisations; to give an additional function to the State Emergency Management Committee; and for other purposes. [Assented to 11 November 2024]

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

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

**2 Commencement**

This Act commences as follows—

- (a) for Schedule 1[10]—on 1 January 2025,
- (b) otherwise—on the date of assent to this Act.

## **Schedule 1      Amendment of State Emergency and Rescue Management Act 1989 No 165**

**[1]    Section 3 Definitions**

Insert in alphabetical order in section 3(1)—

*Department* means the Premier’s Department.

*VRA Rescue NSW Limited* means VRA Rescue NSW Limited (ABN 68 767 393 968).

**[2]    Section 3(1), definition of “emergency services organisation”, paragraph (h)**

Omit the paragraph. Insert instead—

(h)    VRA Rescue NSW Limited,

**[3]    Section 3(1), definition of “functional area”**

Insert after paragraph (e)—

(e1)    education services,

**[4]    Section 3(1), definition of “New South Wales Volunteer Rescue Association Inc”**

Omit the definition.

**[5]    Section 3(1), definition of “Secretary”**

Omit “of Justice”.

**[6]    Section 15 Functions of State Emergency Management Committee**

Insert after section 15(c1)—

(c2)    to support emergency services organisations and other organisations to plan for the development and maintenance of the capabilities and service delivery capacity of the emergency management volunteer workforce,

**[7]    Section 43 Composition of Board**

Omit “the New South Wales Volunteer Rescue Association Inc” from section 43(1)(g).

Insert instead “VRA Rescue NSW Limited”.

**[8]    Section 48 Particular duties of Board**

Omit “(including financial assistance under section 60)” from section 48(1)(i).

**[9]    Section 52 Definitions**

Omit “Wildlife Information and Rescue Service” from section 52(2).

Insert instead “Wildlife Information, Rescue and Education Service”.

**[10]    Section 60KA Definitions**

Insert after the definition of *directing officer*, paragraph (b)—

(b1)    a Regional Emergency Operations Controller, or

(b2)    a Local Emergency Operations Controller, or

**[11]    Section 60M**

Insert after section 60L—

**60M Temporary closure of roads and road related areas**

- (1) The responsible person for an emergency services organisation may, whether or not during a state of emergency, temporarily close a road or road related area to traffic if satisfied it is reasonably necessary because of—
  - (a) an obstruction, or
  - (b) a danger to traffic.
- (2) The responsible person must not close the road or road related area if the closure is inconsistent with a direction given by—
  - (a) a police officer, or
  - (b) Transport for NSW, or
  - (c) the roads authority for the road or road related area.
- (3) As soon as practicable after closing the road or road related area, the responsible person, or another person from the emergency services organisation, must notify—
  - (a) the NSW Police Force, and
  - (b) Transport for NSW.
- (4) In this section—

*responsible person*, for an emergency services organisation, means the person in charge of members of the organisation present at the site of an obstruction or danger to traffic.

*road* has the same meaning as in the *Road Transport Act 2013*.

*road related area* has the same meaning as in the *Road Transport Act 2013*.

*roads authority* has the same meaning as in the *Roads Act 1993*.

*traffic* has the same meaning as in the *Roads Act 1993*.

**[12] Section 63AA Delegation by Secretary**

Omit “of Justice”.

[Second reading speech made in—

Legislative Assembly on 25 September 2024

Legislative Council on 17 October 2024]