



New South Wales

Major Events Amendment (AFC Asian Cup 2015 and ICC Cricket World Cup 2015) Regulation 2014

under the

Major Events Act 2009

His Excellency the Governor, with the advice of the Executive Council and on the recommendation of the Premier under section 5 of the *Major Events Act 2009*, has made the following Regulation under the *Major Events Act 2009*.

MIKE BAIRD, MP
Premier

Explanatory note

The object of this Regulation is to declare the Asian Football Confederation Asian Cup 2015 and the International Cricket Council Cricket World Cup 2015 to be major events for the purposes of the *Major Events Act 2009*.

In particular this Regulation:

- (a) describes each major event, and
- (b) specifies the period for which the declaration of each major event is in force, and
- (c) declares that certain provisions of Part 4 of the *Major Events Act 2009* apply in relation to the major event, and
- (d) designates the Secretary of the Department of Premier and Cabinet to be the responsible authority for each major event, and
- (e) declares major event venues and facilities in respect of each major event, and
- (f) places restrictions on the sale of articles and advertising in and around major event venues and facilities, and
- (g) specifies additional classes of persons who may be authorised to enforce restrictions on the sale or distribution of articles, and
- (h) sets out how to apply to the responsible authority for authorisations to sell or distribute articles, advertise or do other activities in any area where restrictions are in place, and
- (i) specifies additional persons to whom the responsible authority may delegate its functions in relation to receiving and considering any such application and determining any such authorisation.

This Regulation is made under the *Major Events Act 2009*, including sections 5, 6, 13, 37, 39, 40 and 72 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Major Events Amendment (AFC Asian Cup 2015 and ICC Cricket World Cup 2015) Regulation 2014*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Major Events Regulation 2010

Parts 2 and 3

Omit Part 2. Insert instead:

Part 2 AFC Asian Cup 2015

4 Part applies only in relation to the Asian Cup

The provisions of this Part relate only to the Asian Cup and not to any other major event.

5 Definitions

(1) In this Part:

Asian Cup means the Asian Football Confederation Asian Cup 2015.

Centenary Square Area means the area shown edged heavy black on the Centenary Square Area Map.

Customs House Square Area means the area shown edged heavy black on the Customs House Square Area Map.

Honeysuckle Precinct Area means the area shown edged heavy black on the Honeysuckle Precinct Area Map.

Hunter Stadium Area means the area edged heavy black on the Hunter Stadium Area Map.

major event period has the meaning given by clause 6 (3).

Stadium Australia Area means the area shown edged heavy black on the Stadium Australia Area Map.

(2) A reference in this Part to a named map is a reference to a map of that name approved by the Minister and held in the Department of Premier and Cabinet.

Note. Maps referred to in this Part are to be made available on the official NSW legislation website in connection with this Regulation.

6 Declaration of Asian Cup as major event

(1) The Asian Cup is declared to be a major event.

(2) For the purposes of section 5 (4) (a) of the Act, the Asian Cup comprises Asian Cup matches and associated community activities taking place at Stadium Australia, Sydney Olympic Park, the Hunter Stadium, Newcastle, Customs House Square, Sydney, Centenary Square, Parramatta and Honeysuckle Precinct, Newcastle.

(3) For the purposes of section 5 (4) (b) of the Act, the declaration of the Asian Cup as a major event is in force from 16 December 2014 until 2 February 2015 (the *major event period*).

Note. The major event period includes lead-in and lead-out time to enable construction and removal of facilities.

(4) For the purposes of section 51 of the Act, 2 February 2015 is prescribed as the *expiry date*.

7 Major event venues or facilities

For the purposes of section 4 (2) (c) of the Act, the following are prescribed as major event venues or facilities:

(a) Centenary Square Area,

- (b) Customs House Square Area,
- (c) Honeysuckle Precinct Area,
- (d) Hunter Stadium Area,
- (e) Stadium Australia Area.

8 Responsible authority

For the purposes of section 6 of the Act, the Secretary of the Department of Premier and Cabinet is designated as the responsible authority.

9 Application of provisions of Part 4 of Act

- (1) For the purposes of section 5 (4) (c) of the Act, the following provisions of Part 4 of the Act apply in relation to the Asian Cup for the whole of the major event period:
 - (a) Division 2 (Co-ordination and co-operation of government agencies) other than section 17,
 - (b) Division 4 (Commercial and airspace controls) other than sections 41 (1) and 42,
 - (c) Division 6 (Environmental Planning and Assessment Act 1979),
 - (d) Division 7 (Local Government Act 1993),
 - (e) Division 8 (Protection of the Environment Operations Act 1997),
 - (f) section 61 (No liability in nuisance).
- (2) For the purposes of section 13 of the Act, section 41 (1) of the Act applies in relation to the Asian Cup but only in respect of a major event venue or facility for those periods during which a sales control period is in effect under clause 10 for the major event venue or facility.

10 Sale and distribution of articles—sales control period

- (1) For the purposes of section 37 of the Act, the sales control period for each major event venue or facility is as follows:
 - (a) Centenary Square Area—between 26 January 2015 and 31 January 2015,
 - (b) Customs House Square Area—between 16 and 22 December 2014 and between 9 and 24 January 2015,
 - (c) Honeysuckle Precinct Area—between 17 and 23 December 2014 and between 11 and 30 January 2015,
 - (d) Hunter Stadium Area—on 12, 17, 27 and 30 January 2015,
 - (e) Stadium Australia Area—on 10, 13, 15, 19, 23, 26 and 31 January 2015.

Note. The major event venue or facility must also be a controlled area under section 37 of the Act for the sales control period to have effect.
- (2) A reference in subclause (1) to a day means the whole day and a reference to a period between 2 days includes each of those 2 days.

11 Sale and distribution of articles—prescribed articles

- (1) All articles are prescribed articles for the purposes of section 37 of the Act other than articles sold or distributed in the course of an existing business at a major event venue or facility being articles that are normally sold or distributed in the course of that business and that are sold or distributed in the usual manner in which those articles are normally sold or distributed.

(2) In this clause:

existing business at a major event venue or facility, means a business that occupied premises on land at the time that the land was prescribed to be part of the major event venue or facility.

12 Sale and distribution of articles—authorised officers

The following classes of person are prescribed for the purposes of the definition of *authorised officer* in section 37 (9) of the Act:

- (a) in the case of the Stadium Australia Area, any person who is engaged to provide security services in respect of Stadium Australia,
- (b) in the case of the Hunter Stadium Area, any person who is engaged to provide security services in respect of Hunter Stadium.

13 Advertising on buildings or structures—exemptions

(1) For the purposes of section 39 (11) (b) of the Act, advertising material fixed to or placed on a building or structure in an area referred to in section 39 (1) (b) of the Act is exempt from section 39 of the Act if:

- (a) the advertising material is fixed or placed in such a way that cannot be clearly seen by any person on any part of a major event venue or facility, or
- (b) the advertising material:
 - (i) was fixed to or placed on the building or structure at a time when the building or structure was not an advertising controlled site or part of an advertising controlled site, and
 - (ii) was so fixed or placed by a person as part of the person's ordinary activities and not in anticipation of the Asian Cup, and
 - (iii) does not contain any statement, or make any inference, that the advertiser is a sponsor or supporter of, or is in any way connected with, the Asian Cup.

(2) For the purposes of section 39 (11) of the Act, advertising material fixed to or placed on a building or structure is exempt from section 39 of the Act if it is authorised or permitted to be fixed to or placed on the building or structure by the responsible authority in accordance with that section and this Part.

14 Aerial advertising

Stadium Australia Area and Hunter Stadium Area are prescribed as major event venues or facilities for the purposes of section 40 of the Act and the prescribed period for the purposes of that section is any period during which a sales control period is in effect under clause 10 for the particular major event venue or facility.

15 Applications for authorisations

(1) This clause applies to the following authorisations by the responsible authority:

- (a) an approval under section 37 of the Act to sell or distribute a prescribed article during a sales control period in a controlled area,
- (b) an authorisation or permission under section 39 of the Act for advertising material to be fixed to or placed on a building or structure that is (or is part of) an advertising controlled site,
- (c) an authorisation under section 41 of the Act to do anything referred to in section 41 (1) of the Act at a major event venue or facility.

- (2) A person who wishes to obtain an authorisation to which this clause applies must make an application to the responsible authority in accordance with this clause.
- (3) An application must:
 - (a) be made in writing, and
 - (b) be accompanied by the fee (if any) determined by the responsible authority (the *application fee*), and
 - (c) contain such information, and be accompanied by such documentation, as the responsible authority requires to enable the responsible authority to properly consider and determine the application, and
 - (d) be lodged with the responsible authority at least 14 days (or such shorter period as the responsible authority may allow) before the authorisation to which the application relates is proposed to be used.
- (4) The responsible authority may require an applicant for an authorisation to provide further information or documentation before the application is determined.
- (5) The responsible authority may waive or reduce an application fee.
- (6) The responsible authority may determine an application by granting the application, unconditionally or subject to conditions, or by refusing the application.
- (7) The responsible authority may delegate to Local Organising Committee AFC Asian Cup Australia 2015 Ltd (ACN 157 771 330) the exercise of any of the following functions of the responsible authority:
 - (a) functions in relation to determining an authorisation to which this clause applies,
 - (b) functions under this clause (other than this power of delegation).

Part 3 ICC Cricket World Cup 2015

16 Part applies only in relation to the Cricket World Cup

The provisions of this Part relate only to the Cricket World Cup and not to any other major event.

17 Definitions

- (1) In this Part:
 - Cathedral Square Area* means the area shown edged heavy black on the Cathedral Square Area Map.
 - Cricket World Cup* means the International Cricket Council Cricket World Cup 2015.
 - major event period* has the meaning given by clause 18 (3).
 - Paddington Area* means the area shown edged heavy black on the Paddington Area Map.
 - Rocks Area* means the area shown edged heavy black on the Rocks Area Map.
 - Surry Hills Area* means the area shown edged heavy black on the Surry Hills Area Map.
 - Sydney Cricket Ground Area* means the area shown edged heavy black on the Sydney Cricket Ground Area Map.

Sydney Opera House Area means the area shown edged heavy black on the Sydney Opera House Area Map.

- (2) A reference in this Part to a named map is a reference to a map of that name approved by the Minister and held in the Department of Premier and Cabinet.
Note. Maps referred to in this Part are to be made available on the official NSW legislation website in connection with this Regulation.

18 Declaration of Cricket World Cup as major event

- (1) The Cricket World Cup is declared to be a major event.
- (2) For the purposes of section 5 (4) (a) of the Act, the Cricket World Cup comprises Cricket World Cup matches, associated matches and associated community activities taking place at Sydney Cricket Ground, Cathedral Square in Sydney, Paddington, the Rocks and Sydney Opera House.
- (3) For the purposes of section 5 (4) (b) of the Act, the declaration of the Cricket World Cup as a major event is in force from 25 January 2015 until 30 March 2015 (the **major event period**).
Note. The major event period includes lead-in and lead-out time to enable construction and removal of facilities.
- (4) For the purposes of section 51 of the Act, 30 March 2015 is prescribed as the **expiry date**.

19 Major event venues or facilities

For the purposes of section 4 (2) (c) of the Act, the following are prescribed as major event venues or facilities:

- (a) Cathedral Square Area,
- (b) Paddington Area,
- (c) Rocks Area,
- (d) Surry Hills Area,
- (e) Sydney Cricket Ground Area,
- (f) Sydney Opera House Area.

20 Responsible authority

For the purposes of section 6 of the Act, the Secretary of the Department of Premier and Cabinet is designated as the responsible authority.

21 Application of provisions of Part 4 of Act

- (1) For the purposes of section 5 (4) (c) of the Act, the following provisions of Part 4 of the Act apply in relation to the Cricket World Cup for the whole of the major event period:
- (a) Division 2 (Co-ordination and co-operation of government agencies) other than section 17,
 - (b) Division 4 (Commercial and airspace controls) other than sections 41 (1) and 42,
 - (c) Division 6 (Environmental Planning and Assessment Act 1979),
 - (d) Division 7 (Local Government Act 1993),
 - (e) Division 8 (Protection of the Environment Operations Act 1997),
 - (f) section 61 (No liability in nuisance).

- (2) For the purposes of section 13 of the Act, section 41 (1) of the Act applies in relation to the Cricket World Cup but only in respect of a major event venue or facility for those periods during which a sales control period is in effect under clause 22 for the major event venue or facility.

22 Sale and distribution of articles—sales control period

- (1) For the purposes of section 37 of the Act, the sales control period for each major event venue or facility is as follows:
- (a) Cathedral Square Area—between 25 and 27 January 2015,
 - (b) Paddington Area—on 27 February 2015 and 8, 13, 18 and 26 March 2015,
 - (c) Rocks Area—on 27 February 2015 and 8, 13, 18 and 26 March 2015,
 - (d) Surry Hills Area—on 27 February 2015 and 8, 13, 18 and 26 March 2015,
 - (e) Sydney Cricket Ground Area—on 27 February 2015 and 8, 13, 18 and 26 March 2015,
 - (f) Sydney Opera House Area—on 18, 26 and 29 March 2015.

Note. The major event venue or facility must also be a controlled area under section 37 of the Act for the sales control period to have effect.

- (2) A reference in subclause (1) to a day means the whole day and a reference to a period between 2 days includes each of those 2 days.

23 Sale and distribution of articles—prescribed articles

- (1) All articles are prescribed articles for the purposes of section 37 of the Act other than articles sold or distributed in the course of an existing business at a major event venue or facility being articles that are normally sold or distributed in the course of that business and that are sold or distributed in the usual manner in which those articles are normally sold or distributed.

- (2) In this clause:

existing business at a major event venue or facility, means a business that occupied premises on land at the time that the land was prescribed to be part of the major event venue or facility.

24 Sale and distribution of articles—authorised officers

For the purposes of the definition of *authorised officer* in section 37 (9) of the Act, any person who is engaged to provide security services in respect of Sydney Cricket Ground is prescribed.

25 Advertising on buildings or structures—exemptions

- (1) For the purposes of section 39 (11) (b) of the Act, advertising material fixed to or placed on a building or structure in an area referred to in section 39 (1) (b) of the Act is exempt from section 39 of the Act if:
- (a) the advertising material is fixed or placed in such a way that cannot be clearly seen by any person on any part of a major event venue or facility, or
 - (b) the advertising material:
 - (i) was fixed to or placed on the building or structure at a time when the building or structure was not an advertising controlled site or part of an advertising controlled site, and

- (ii) was so fixed or placed by a person as part of the person's ordinary activities and not in anticipation of the Cricket World Cup, and
 - (iii) does not contain any statement, or make any inference, that the advertiser is a sponsor or supporter of, or is in any way connected with, the Cricket World Cup.
- (2) For the purposes of section 39 (11) of the Act, advertising material fixed to or placed on a building or structure is exempt from section 39 of the Act if it is authorised or permitted to be fixed to or placed on the building or structure by the responsible authority in accordance with that section and this Part.

26 Aerial advertising

Sydney Cricket Ground Area is prescribed as major event venue or facility for the purposes of section 40 of the Act and the prescribed period for the purposes of that section is any period during which a sales control period is in effect under clause 22 for that major event venue or facility.

27 Applications for authorisations

- (1) This clause applies to the following authorisations by the responsible authority:
- (a) an approval under section 37 of the Act to sell or distribute a prescribed article during a sales control period in a controlled area,
 - (b) an authorisation or permission under section 39 of the Act for advertising material to be fixed to or placed on a building or structure that is (or is part of) an advertising controlled site,
 - (c) an authorisation under section 41 of the Act to do anything referred to in section 41 (1) of the Act at a major event venue or facility.
- (2) A person who wishes to obtain an authorisation to which this clause applies must make an application to the responsible authority in accordance with this clause.
- (3) An application must:
- (a) be made in writing, and
 - (b) be accompanied by the fee (if any) determined by the responsible authority (the *application fee*), and
 - (c) contain such information, and be accompanied by such documentation, as the responsible authority requires to enable the responsible authority to properly consider and determine the application, and
 - (d) be lodged with the responsible authority at least 14 days (or such shorter period as the responsible authority may allow) before the authorisation to which the application relates is proposed to be used.
- (4) The responsible authority may require an applicant for an authorisation to provide further information or documentation before the application is determined.
- (5) The responsible authority may waive or reduce an application fee.
- (6) The responsible authority may determine an application by granting the application, unconditionally or subject to conditions, or by refusing the application.

- (7) The responsible authority may delegate to Cricket World Cup 2015 Ltd (ACN 162 672 675) the exercise of any of the following functions of the responsible authority:
 - (a) functions in relation to determining an authorisation to which this clause applies,
 - (b) functions under this clause (other than this power of delegation).