

Passed by both Houses



New South Wales

State Emergency and Rescue Management Amendment Bill 2024

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2024



New South Wales

State Emergency and Rescue Management Amendment Bill 2024

Act No _____, 2024

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.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

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”.