



New South Wales

Sydney Olympic Park Authority Amendment Bill 2009

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Sydney Olympic Park Authority Act 2001* (***the principal Act***):

- (a) to make provision for the management of noise emissions in respect of major events carried on at Sydney Olympic Park, and
- (b) to expand the functions of the Sydney Olympic Park Authority to include the function of promoting, co-ordinating, organising, managing, undertaking, securing, providing and conducting residential facilities, and
- (c) to make other minor amendments to facilitate the administration of the principal Act or by way of statute law revision.

This Bill also amends the *Protection of the Environment Operations (General) Regulation 2009* to provide for certain exceptions to the provisions of the *Protection of the Environment Operations Act 1997* dealing with noise but only in relation to activities at Sydney Olympic Park carried out in accordance with an approved noise management plan.

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 proclaimed.

Schedule 1 Amendment of Sydney Olympic Park Authority Act 2001 No 57

Schedule 1 [1] amends the objects of the principal Act to remove a reference to Sydney Olympic Park becoming a vibrant town centre. Instead, the object of the principal Act will be to ensure that Sydney Olympic Park becomes a vibrant centre within metropolitan Sydney.

Schedule 1 [2] amends the objects of the principal Act to include taking all reasonable steps to ensure that any new development carried out under or in accordance with the principal Act accords with best practice accessibility standards as well as best practice environmental and town planning standards.

Schedule 1 [3] updates the definition of *Environmental Guidelines* in section 4 of the principal Act.

Schedule 1 [4] inserts definitions for the terms *Minister for Planning* and *ranger*, which are used in the principal Act.

Schedule 1 [5] provides that the functions of the Sydney Olympic Park Authority include the function of promoting, co-ordinating, organising, managing, undertaking, securing, providing and conducting residential facilities.

Schedule 1 [6] makes it clear that provisions of the master plan for Sydney Olympic Park may apply to the whole or any part of the Park.

Schedule 1 [7] inserts proposed section 48A. The proposed section prevents criminal proceedings, civil proceedings or noise abatement action from being taken in respect of the emission of noise from major events held at Sydney Olympic Park that does not exceed the maximum permissible noise level which is defined. The proposed section is similar to a provision enacted with respect to Luna Park.

Schedule 1 [8] amends section 79 of the principal Act to provide that an authorised officer may serve a penalty notice on a person if it appears to the officer that the person has committed an offence against section 67 of the principal Act. That section makes it an offence to use the name Sydney Olympic Park without the consent of the Sydney Olympic Park Authority. Currently, a penalty notice may only be issued in respect of an offence against the regulations. **Schedule 1 [9]** makes a consequential amendment.

Schedule 1 [10] amends Schedule 8 to the principal Act to enable regulations to be made containing provisions of a savings or transitional nature as a consequence of the enactment of the proposed Act.

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 2009

Schedule 2 amends the *Protection of the Environment Operations (General) Regulation 2009* to provide that activities carried out at Sydney Olympic Park are exempt from certain provisions of the *Protection of the Environment Operations Act 1997* (relating to the emission of noise) so long as the Director-General of the Department of Environment, Climate Change and Water has approved a noise management plan for Sydney Olympic Park and the activities are carried out in accordance with that noise management plan. The proposed clause is similar to a provision made with respect to Luna Park.