

1994—No. 525

**ENVIRONMENTAL OFFENCES AND PENALTIES ACT 1989—
REGULATION**

(Relating to penalty notices)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Environmental Offences and Penalties Act 1989, has been pleased to make the Regulation set forth hereunder.

CHRIS HARTCHER
Minister for the Environment.

Commencement

1. This Regulation commences on 1 October 1994.

Amendments

2. Schedule 2 to the Environmental Offences and Penalties Act 1989 is amended:

(a) by inserting at the end of Part 1 the following clause:

3. For the purposes of this Schedule, a class 9 officer means an officer or employee of the Darling Harbour Authority, or an officer or employee of a body corporate providing services under an arrangement with the Authority whereby the officer or employee is acting under the direction and control of the Authority, who is duly authorised by the Authority to exercise the functions of an authorised officer under section 8G.

(b) by inserting in Part 2 in the matter relating to section 8F (1) of the Environmental Offences and Penalties Act 1989 after the matter “6, 8” the matter “, 9”;

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- (c) by inserting in Part 2 in the matter relating to the Noise Control Act 1975 after the matter “1, 2, 5, 6” wherever occurring the matter “, 9”;
- (d) by inserting in Part 2 in the matter relating to clause 12A (2) of the Noise Control Regulation 1975 after the matter “1, 2, 5, 6” the matter “, 9”;
- (e) by inserting in Part 2 in the matter relating to clause 33E (2) of the Noise Control Regulation 1975 after the matter “1, 2, 6” the matter “, 9”.

EXPLANATORY NOTE

The object of this Regulation is to give officers and employees of the Darling Harbour Authority, and other persons acting under the direction and control of the Authority, power to issue penalty notices under the Environmental Offences and Penalties Act 1989 (if they are authorised by the Authority to do so) in respect of certain offences referred to in that Act. The offences relate to littering, the emission of noise in contravention of an abatement direction and the use of intruder alarms.

This Regulation is made under the Environmental Offences and Penalties Act 1989, in particular section 8G (Penalty notices) and section 28 (the general regulation making power).
