



New South Wales

Protection of the Environment Operations (General) Amendment (Miscellaneous) Regulation 2001

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

BOB DEBUS, M.P.,
Minister for the Environment

Explanatory note

The object of this Regulation is to amend the *Protection of the Environment Operations (General) Regulation 1998*:

- (a) to declare that the Environment Protection Authority is the appropriate regulatory authority in relation to:
 - (i) non-scheduled activities on the route of the Inner West Light Rail System, and
 - (ii) certain outdoor entertainment activities (such as concerts and outdoor cinemas) involving the use of sound amplification equipment at specified venues, and
- (b) to exempt the deposit of the following material from the prohibition against the deposit of advertising material in or on motor vehicles contained in section 146B of the *Protection of the Environment Operations Act 1997*:
 - (i) police community safety and crime prevention brochures, and
 - (ii) brochures relating to the Roads and Traffic Authority's mobility parking scheme.

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Explanatory note

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 6 (3), 146B (3) (b) and 323 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (General) Amendment (Miscellaneous) Regulation 2001*.

2 Commencement

- (1) This Regulation, other than Schedule 1 [2], commences on the day on which it is published in the Gazette.
- (2) Schedule 1 [2] to this Regulation commences on 1 April 2001.

3 Amendment of Protection of the Environment Operations (General) Regulation 1998

The *Protection of the Environment Operations (General) Regulation 1998* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clauses 66 and 67

Insert after clause 65:

66 Inner West Light Rail

- (1) The EPA is declared, under section 6 (3) of the Act, to be the appropriate regulatory authority for non-scheduled activities on the route of the light rail system declared under section 104N (2) of the *Transport Administration Act 1988* (as declared by clauses 11, 12 and 14 of the *Transport Administration (General) Regulation 2000*).
- (2) This clause does not apply to buildings or other structures that are taken to be included in the route of the light rail system by clause 13 (1) (b) of the *Transport Administration (General) Regulation 2000*.

67 Outdoor entertainment activities

- (1) The EPA is declared, under section 6 (3) of the Act, to be the appropriate regulatory authority for outdoor entertainment activities carried on at any of the following premises:
 - (a) the Trust lands within the meaning of the *Royal Botanic Gardens and Domain Trust Act 1980*,
 - (b) the Trust lands within the meaning of the *Centennial Park and Moore Park Trust Act 1983*,
 - (c) the Darling Harbour area within the meaning of the *Sydney Harbour Foreshore Authority Regulation 1999*,
 - (d) the trust land within the meaning of *Parramatta Stadium Trust Act 1988*,
 - (e) the trust lands within the meaning of *Sydney Cricket and Sports Ground Act 1978*,
 - (f) Homebush Bay within the meaning of the *Homebush Bay Operations Act 1999*,

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Amendments

Schedule 1

(g) the Opera House premises within the meaning of the *Opera House Trust By-law 1998*.

(2) In this clause, ***outdoor entertainment activities*** means any of the following activities, but only if the activity is carried on outdoors and sound amplification equipment is used as part of the activity:

- (a) concerts,
- (b) festivals,
- (c) cinematic and theatrical events,
- (d) sporting events,

and includes any rehearsals, sound checks or other preparations for the activities listed in paragraphs (a) to (d).

(3) Despite subclause (1), the EPA is not the appropriate regulatory authority for outdoor entertainment activities involving less than 200 persons.

(4) In this clause, a reference to an activity being carried on outdoors includes an activity being carried on under or within a tent, marquee or similar structure.

[2] Part 4.7

Insert after Part 4.6:

Part 4.7 Exceptions

68 Exception from prohibition on placing advertising material on vehicles: section 146B (3) (b)

(1) Section 146B of the Act does not apply to the deposit in or on a motor vehicle of the following material:

- (a) community safety and crime prevention brochures deposited by or on behalf of the Police Service,
- (b) brochures, relating to the issue of mobility parking scheme authorities, deposited by or on behalf of the Roads and Traffic Authority.

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(2) In this clause, ***mobility parking scheme authority*** has the same meaning as in the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

BY AUTHORITY