



New South Wales

Liquor and Registered Clubs (Olympic and Paralympic Games) Regulation 2000

under the

Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

Explanatory note

The *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999* modifies the application of the *Liquor Act 1982* and the *Registered Clubs Act 1976* in relation to the conduct of the Olympic Games and Paralympic Games. Section 9 of the Act provides for the extension of trading hours for certain liquor licences.

The object of this Regulation is to make provision with respect to the operation by a licensee of licensed premises during those extended trading hours, in particular:

- (a) by imposing limits on the noise levels that can be emitted from premises operating during extended trading hours, and
- (b) by providing for the enforcement of those limits.

This Regulation is made under section 18 of the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999*, in particular section 18 (2), which was inserted by the *Liquor and Registered Clubs Legislation Amendment Act 2000*.

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Explanatory note

Since the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999* expires on 31 December 2000 (see section 19 of the Act), this Regulation also expires on that date.

This Regulation comprises or relates to matters of a machinery nature.

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Clause 1 Liquor and Registered Clubs (Olympic and Paralympic Games)
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Part 1 Preliminary

Liquor and Registered Clubs (Olympic and Paralympic Games) Regulation 2000

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Liquor and Registered Clubs (Olympic and Paralympic Games) Regulation 2000*.

2 Commencement

This Regulation commences on 1 September 2000.

Note. This Regulation ceases to have effect on 31 December 2000, because the Act under which it is made ceases to have effect on that date: see section 19 of the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999*.

3 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

Part 2 Extended trading hours

4 Prohibition on excessive noise levels during extended trading hours

A licensee of premises licensed under the *Liquor Act 1982* is, when operating during extended trading hours in accordance with section 9 of the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999*, prohibited from causing, permitting or allowing the emission of noise from the licensed premises:

- (a) at an LA10 noise level (being the average maximum deflection of the noise emission) which, when measured at the boundary of any residential premises:
 - (i) exceeds the background noise level in any Octave Band Centre Frequency (31.5 bHz–8 kHz inclusive) by more than 5 dB between 7.00 am and 12.00 midnight, or
 - (ii) exceeds the background noise level in any Octave Band Centre Frequency (31.5 Hz–8 kHz inclusive) between 12.00 midnight and 7.00 am, or
- (b) at a noise level that is audible within any habitable room in any residential premises between the hours of 12.00 midnight and 7.00 am.

5 EPA taken to be “appropriate regulatory authority” during extended trading hours

- (1) This clause applies to premises licensed under the *Liquor Act 1982* operating during extended trading hours in accordance with section 9 of the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999*.
- (2) Section 35 of the *Olympic Arrangements Act 2000* applies to any such premises, to their licensee and to the activities carried on during such extended trading hours, as though the declaration taken to have been made under section 34 of the *Olympic Arrangements Act 2000* included a prohibition under section 34 (3) of that Act prohibiting a licensee from causing, permitting or allowing the emission of noise from the licensed premises in breach of clause 4 of this Regulation.

Notes.

Section 36 (c) of the *Olympic Arrangements Act 2000* provides that a declaration is taken to have been made under section 34 of the *Olympics Arrangements Act 2000* in relation to the operation by a licensee of licensed premises during

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Part 2 Extended trading hours

extended trading hours in accordance with section 9 of the *Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999*.

Section 34 (3) of the *Olympic Arrangements Act 2000* provides that a prohibition on excessive noise included in a declaration under section 34 may be enforced as if it were contained in a noise control notice issued under section 264 of the *Protection of the Environment Operations Act 1997*.

Section 35 of the *Olympic Arrangements Act 2000* sets out the effect of a declaration under section 34.

6 Additional means of enforcement of prohibition

In addition to any other manner in which a prohibition in clause 4 may be enforced, a breach of any such prohibition may be dealt with by the Liquor Administration Board under section 104 of the *Liquor Act 1982*.

BY AUTHORITY
