

1994—No. 388

CROWN LANDS ACT 1989—REGULATION

(Relating to offences)

NEW SOUTH WALES



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

GEORGE SOURIS, MP,
Minister for Land and Water Conservation.

Commencement

1. This Regulation commences on 1 September 1994.

Amendments

2. The Crown Lands Regulation 1990 is amended:

- (a) by omitting from clause 49 the matter “section 156 (3)” and by inserting instead the matter “section 156 (1), (2) and (3)”;
- (b) by inserting after clause 49 (k) the following paragraphs:
 - (l) Drinking alcohol.
 - (m) Selling, offering for sale or otherwise providing alcohol to a person.
- (c) by omitting from clauses 50 (a) and 51 (a) the matter “section 155 (1) (h) or (i)” wherever occurring and by inserting instead the matter “section 155 (1) (a), (b), (c), (d), (e), (f), (h) or (i)”;
- (d) by inserting after clause 50 (a) the following paragraph:
 - (a1) an offence under section 156 (2) or (3) of the Act;
- (e) by inserting after clause 51 (a) the following paragraph:
 - (a1) in relation to an offence under section 156 (2) or (3) of the Act—\$200;

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(f) by omitting from clause 51 (b) the matter “\$50” and by inserting instead the matter “\$60”.

EXPLANATORY NOTE

This Regulation does the following:

- (a) clause (2) (a) identifies the activities that may be prohibited on public land if the Minister for Land and Water Conservation causes a notice to be served on a person (or causes a notice applying to persons generally to be displayed on or near the land concerned) prohibiting the carrying on of those activities. The prohibited activities are identified by reference to the list of activities in clause 49 of the Crown Lands Regulation 1990. Clause (2) (b) adds to the list in clause 49. The activities already listed include such things as camping, lighting fires (other than in a properly constructed fire place), driving vehicles and using firearms;
- (b) clause (2) (c) and (d) add offences to the list of offences that may be dealt with by way of penalty notices. The offences already on the list involve interfering with public land, littering and the use of vehicles on public land. The additional offences include driving stock and erecting or using structures on public land;
- (c) clause (2) (e) specifies the amount of the penalty payable under a penalty notice in relation to an offence involving the prohibited use of a structure, or the carrying on of a prohibited activity, on public land;
- (d) clause (2) (f) increases from \$50 to \$60 the amount of the penalty payable under a penalty notice in relation to an offence involving vehicles on public land.

The Regulation is made under sections 156 (1), (2) and (3) 162 (1) and 184 (the general regulation making power) of the Act.
