



New South Wales

Sydney Harbour Foreshore Authority Amendment Regulation 2000

under the

Sydney Harbour Foreshore Authority Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Sydney Harbour Foreshore Authority Act 1998*.

ANDREW REFSHAUGE, M.P.,

Deputy Premier, Minister for Urban Affairs and Planning
Minister for Aboriginal Affairs and Minister for Housing

Explanatory note

Special controls with respect to public areas are currently applicable to certain parts of Darling Harbour. When the *Darling Harbour Authority Act 1984* is repealed on 1 January 2001 and the land vested in the Sydney Harbour Foreshore Authority, these controls will be continued by this Regulation.

This Regulation is made under the *Sydney Harbour Foreshore Authority Act 1998*, including section 46.

2000 No 760

Clause 1 Sydney Harbour Foreshore Authority Amendment Regulation 2000

**Sydney Harbour Foreshore Authority Amendment
Regulation 2000**

1 Name of Regulation

This Regulation is the *Sydney Harbour Foreshore Authority Amendment Regulation 2000*.

2 Commencement

This Regulation commences on 1 January 2001.

3 Amendment of Sydney Harbour Foreshore Authority Regulation 1999

The *Sydney Harbour Foreshore Authority Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendment

Part 2A

Insert after Part 2:

Part 2A Special provisions relating to Darling Harbour

11A Application

- (1) This Part applies to the areas and facilities referred to in this Part so long as they remain part of or within a public area.
- (2) This Part does not limit the application of the other provisions of this Regulation to those areas and facilities.

11B Definitions of Darling Harbour area and Pyrmont Bridge

In this Part:

Darling Harbour area means the following areas:

- (a) the Chinese Garden,
- (b) Tumbalong Park,
- (c) Cockle Bay Promenade,
- (d) Pyrmont Bridge,
- (e) Cockle Bay,
- (f) any other public area in the Development Area (within the meaning of the *Darling Harbour Authority Act 1984* immediately before its repeal).

Pyrmont Bridge includes:

- (a) the piles marking the channels approaching the Bridge, and
- (b) the abutments of the Bridge, and
- (c) the extension of the Bridge to Market Street and King Street, and
- (d) the Bicentennial Flagpole and its base.

2000 No 760

Sydney Harbour Foreshore Authority Amendment Regulation 2000

Schedule 1

Amendment

11C Dogs or other animals in Darling Harbour area

- (1) A person must not, except as authorised by the Authority, bring any dog or other animal into the Darling Harbour area.

Maximum penalty: 20 penalty units.

- (2) This clause does not prohibit a person with a disability from taking an assistance animal into the Darling Harbour area.
- (3) Any unattended dog or other animal may be removed from the Darling Harbour area by a ranger or police officer.
- (4) In this clause:

assistance animal means an animal referred to in section 9 of the *Disability Discrimination Act 1992* of the Commonwealth.

disability has the same meaning as it has in the *Disability Discrimination Act 1992* of the Commonwealth.

11D Fishing in Darling Harbour area

A person must not, except as authorised by the Authority, take or attempt to take, or harm, any fish in the Darling Harbour area (other than in Cockle Bay).

Maximum penalty: 20 penalty units.

11E Tumbalong Park

A person must not use the stage in Tumbalong Park or its facilities, except as authorised by the Authority.

Maximum penalty: 20 penalty units.

11F The Chinese Garden

- (1) The Authority may determine:
 - (a) the days and times during which, and the conditions on which, persons may enter the Chinese Garden, and
 - (b) the maximum number of persons who may visit the Chinese Garden at any one time, and
 - (c) the charges (if any) to be imposed for entry into, or for the conduct of any function or other activity in, the Chinese Garden.

- (2) A person must not, except as authorised by the Authority, contravene any conditions of entry into the Chinese Garden that are displayed in, or at the places of entry into, the Chinese Garden.

Maximum penalty: 20 penalty units.

11G Activities within Cockle Bay

A person must not do any of the following, except as authorised by the Authority:

- (a) swim or paddle in the waters of Cockle Bay,
- (b) sail a sailboard, windsurfer or other like craft in the waters of Cockle Bay,
- (c) deposit or throw any article or substance into the waters of Cockle Bay,
- (d) ride a personal water craft in the waters of Cockle Bay,
- (e) row or paddle any row boat, canoe, kayak or similar craft in the waters of Cockle Bay,
- (f) participate in any activity in the waters of Cockle Bay involving the use of a vessel to tow a person (such as water skiing or paragliding).

Maximum penalty: 20 penalty units.

11H Activities on Pyrmont Bridge

A person must not do any of the following, except as authorised by the Authority:

- (a) go on to any portion of Pyrmont Bridge other than its footway,
- (b) fish from any portion of Pyrmont Bridge,
- (c) go on to the swing span of Pyrmont Bridge while it is in motion or in any open position,
- (d) stand or climb on the safety gates at the entrance to the swing span of Pyrmont Bridge,
- (e) obstruct the movement of the gates at the entrance to the swing span of Pyrmont Bridge.

Maximum penalty: 20 penalty units.

11I Movement of vessels beneath Pyrmont Bridge

- (1) The Authority may cause to be displayed, on or in the vicinity of Pyrmont Bridge, a notice containing directions with respect to the movement or berthing of vessels beneath the Bridge.
- (2) Such a notice does not have effect unless:
 - (a) it is prominently displayed on or in the vicinity of that part of Pyrmont Bridge to which it is intended to apply, and
 - (b) the directions contained in it are clearly legible to those persons to whom it is intended to apply.
- (3) A person must not contravene any direction given by the Authority under this clause.

Maximum penalty: 20 penalty units.
- (4) A person must not, except as authorised by the Authority, moor any vessel to any portion of, or beneath, Pyrmont Bridge.

Maximum penalty: 20 penalty units.

11J Berthing of vessels within Cockle Bay

- (1) A person must not, except as authorised by the Authority, berth a vessel (including any charter boat, water taxi or ferry) within the waters of Cockle Bay.

Maximum penalty: 20 penalty units.
- (2) The Authority may determine:
 - (a) the days and times during which, and the conditions on which, vessels may be berthed in the waters of Cockle Bay, and
 - (b) the charges (if any) to be imposed for the berthing of vessels in the waters of Cockle Bay.
- (3) Without limiting the generality of subclause (2) (a), a condition referred to in that paragraph may relate to any one or more of the following:
 - (a) the use of a berthed vessel for tourist purposes,
 - (b) the bunkering of a berthed vessel,
 - (c) the disposal of garbage and sewage from a berthed vessel.

- (4) A condition relating to the use of a berthed vessel for tourist purposes may regulate the fee that a tourist may be charged in relation to that use.